



## Public Document Pack

# Uttlesford District Council

Chief Executive: Peter Holt

## Planning Committee

**Date:** Wednesday, 25th January, 2023

**Time:** 2.00 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden, CB11 4ER

**Chair:** Councillor S Merifield

**Members:** Councillors G Bagnall, J Emanuel, P Fairhurst, R Freeman, G LeCount, M Lemon (Vice-Chair), J Loughlin, R Pavitt and M Sutton

**Substitutes:** Councillors M Caton, A Coote, C Criscione, N Gregory, B Light and J De Vries

### Public Speaking

At the start of each agenda item there will be an opportunity for members of the public to make statements relating to applications being determined by the District Council, subject to having given notice by 2pm on the day before the meeting. Please register your intention to speak at this meeting by writing to [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk). Please see the section headed "Meetings and the Public" overleaf for further details.

When an application is to be determined by the Planning Inspectorate (PINS) the purpose of the report to Planning Committee is not to determine the application but to provide the PINS with the Council's view of the planning application. The role of the District Council is solely as a statutory consultee on the planning application; its consultation runs parallel with other statutory and non-statutory consultees.

The Planning Committee is not the opportunity to make representations directly to the decision maker and as such no public speaking on this matter will be afforded to either third parties or the applicant. Please find further information [here](#) regarding submitting representations directly with PINS.

Those who would like to watch the meeting live can do so virtually [here](#). The broadcast will be made available as soon as the meeting begins.

**AGENDA  
PART 1**

**Open to Public and Press**

**1 Apologies for Absence and Declarations of Interest**

To receive any apologies for absence and declarations of interest.

**2 Minutes of the Previous Meeting**

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To consider the minutes of the previous meeting.

**3 UTT/22/0434/FUL - Land North of Stansted Airport**

14 - 327

To consider application UTT/22/0434/FUL.

**4 Late List**

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This document contains late submissions, updates or addendums to existing agenda items which have been received up to and including the end of business on the Friday before Planning Committee. The late list is circulated on the Monday prior to Planning Committee. This is a public document, and it is published with the agenda papers on the UDC website.

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The following time allocations are in place for speaking at this meeting:

- Members of the public: up to 4 minutes.
- District Councillors who do not sit on the Planning Committee: up to 5 minutes.
- Representatives of Town/Parish Councils: up to 5 minutes.
- Agents/Applicants: up to 4 minutes with additional time for each objector, up to a maximum of 15 minutes. **Please note that if an application is recommended for approval and there are no registered speakers against the application then the agent/applicant will not have the right to make representations.**

The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

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# Agenda Item 2

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 11 JANUARY 2023 at 10.00 am**

Present: Councillor S Merifield (Chair)  
Councillors G Bagnall, C Criscione, J Emanuel, R Freeman,  
G LeCount, B Light, J Loughlin, R Pavitt and M Sutton

Officers in attendance: L Ackrill (Principal Planning Officer), N Brown (Head of Development Management and Enforcement), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), M Jones (Senior Planning Officer), M Sawyers (Planning Officer), E Smith (Solicitor) and C Tyler (Senior Planning Officer)

Public Speakers: Councillor A Armstrong, S Barron, Councillor C Cant, D Oelman, E Trott, J Weet and K Wheeler.

## PC254 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Fairhurst and Lemon. Councillor Criscione substituted for Councillor Lemon and Councillor Light for Councillor Fairhurst.

Apologies for lateness were received from Councillors Emanuel, Freeman and Sutton.

Councillor Merifield declared that she was the Ward Member for Stebbing (Item 9).

Councillor Light declared that she was a Member of Saffron Walden Town Council (item 11).

## PC255 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 14 December 2022 were approved as an accurate record.

## PC256 **SPEED AND QUALITY REPORT**

The Head of Development Management and Enforcement presented the Speed and Quality Report. He said that there had recently been a further appeal lost.

The report was noted.

PC257 **QUALITY OF MAJOR APPLICATIONS REPORT**

The Head of Development Management and Enforcement presented the Quality of Major Applications report.

The report was noted.

*Councillor Emanuel arrived @ 10.19 am.*

PC258 **S62A APPLICATIONS**

The Head of Development Management and Enforcement presented the S62A Applications report.

The report was noted.

PC259 **S62A/2022/0014. UTT/22/3258/PINS - LAND TO THE WEST OF THAXTED ROAD, SAFFRON WALDEN**

The Senior Planning Officer presented a report in relation to a major (full) planning application submitted to PINS for determination. The outline application was with all matters reserved except for access for up to 170 dwellings, associated landscaping and open space with access from Thaxted Road.

The report recommended that observations be submitted to the Planning Inspectorate.

The Senior Planning Officer highlighted a number of issues that had been raised and updated Members on information contained in the Late List as well as three further objections received.

*Councillor Freeman arrived @ 10.25 am but took no part in the discussion on this item.*

In response to various questions from Members, officers:

- Outlined the comments made by UDC Environmental Health provided on the Late List.
- Said that any cycle paths would be on the site and connected to Thaxted Road and that further information was awaited from Essex Highways in respect of provision of a cycleway.
- Said that no further information had been provided in reference to Paragraph 6.1 of the report but that pre-application discussions had originally taken place with UDC.
- Said that Urban Design had objected to the application and SUDs had provided a holding objection.
- Explained that the green orbital route referenced a recreational footpath.
- Detailed possible economic benefits.
- Corrected the incorrect reference to Elsenham in the report.

- Clarified the situation re Public Rights of Way, non-vehicular access points and unregulated footpaths.
- Outlined the situation in respect of Public Open Spaces.
- Referred to the need to balance between the benefits of 39 dwellings against S7.

Members discussed:

- Information from a previous appeal not being included as a material consideration in the report, other than in the history section.
- Lack of infrastructure – lack of doctors’ surgeries and schools.
- Poor surface water flooding- DEFRA designation. Lack of response from SUDs.
- Poor public transport.
- One access point Cycleways and the cumulative effect on traffic on an already busy road.
- Loss of land.
- Public Open Space concerns.
- Urban creep.
- The density of the gateway development and particularly use of 3-storey landmark buildings.
- Clustered affordable housing, not compliant with the Neighbourhood Plan.
- The need to reference the Neighbourhood Plan and the objections made by the Town Council.
- To note the improved situation re the 5 year land supply.

Following discussions Members were in agreement that the following concerns be brought to the attention of the Planning Inspectorate:

- Density concerns in respect of a gateway site.
- Lack of infrastructure relating to health and education.
- Location of Affordable housing- being clustered, not compliant with the Neighbourhood Plan.
- Technical issues – SUDs and biodiversity concerns.
- Public Open Spaces- quantum and quality issues to be linked to the Neighbourhood Plan.
- Active travel concerns – lack of linkages.
- Single access point.
- Significant adverse landscape impact and AQMA on Thaxted Road.
- Size of houses not meeting local housing needs.
- Lack of public transport.
- The permeability of the site.

*The meeting adjourned at 11.17 and reconvened at 11.29.*

*Councillor Merifield recused herself as she knew the applicant and left the room. Councillor Freeman took the Chair, having been nominated by the Chair and seconded by Councillor LeCount.*

**UTT/22/1802/FUL - WOOD FIELD (LAND ADJOINING 'LAND WEST OF WOODSIDE WAY'), GREAT DUNMOW**

The Principal Planning Officer presented a planning application for the construction of 120 dwellings (Class C3), car parking, landscaping, play area and associated infrastructure. The report had been deferred at the Planning Committee held on 23 November 2022 to enable further discussions and clarification to be undertaken regarding the buffer zone to the ancient woodland; useability of open/amenity space and issues regarding active travel and the need to prevent informal access through on to Woodside Way. The applicant had subsequently provided additional material to address the points raised.

He recommended that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report.

In response to questions from Members, officers:

- Said that nothing material had changed since the previous deferral, other than additional information being provided.
- Outlined the contamination issues covered by Condition 30.
- Provided information from the Urban Design Officer's comments particularly referring to connectivity issues outside of the applicant's control.
- Clarified ownership of the buffer zone.
- Detailed the size of the Public Open Space of 0.498 hectares, being 9% of the overall plot.
- That there had been no requirement to consult the Environment Agency in this instance as this was an allocated site in a plan-led process.

Members discussed:

- The fact that no material changes had been made since previous deferral.
- The size of the buffer.
- The SUDs scheme and the pond.
- Tree protection.
- Condition 30 referring to prior to occupation rather than prior to commencement of development.
- Permeability and general linkage issues.
- Access to the Public Open Space within the Masterplan and how management of the open space would be offered to the Town Council in the first instance.
- The Housing mix.
- "Ransom strips" of land to provide protection.
- Safety issues and public right of way.
- The offer by the agent to provide fencing/hedging along the remainder of the boundary- details of which would be secured by way of condition.
- The site being plan-led.

*Councillor Sutton had arrived at 12.13 but took no part in the debate.*



Councillor Emanuel proposed that the application be approved with the amendment that Condition 30 relating to contamination would apply prior to commencement of any building works.

This proposal was seconded by Councillor Loughlin.

RESOLVED that the item be approved with an amended Condition 30 in place.

*A statement was read out from A Clarke against the application and Councillor A Armstrong spoke against the application on behalf of Great Dunmow TC.*

*K Wheeler (Agent) spoke in support.*

*The meeting was adjourned for a comfort break between 12.30pm and 12.35pm.*

*Councillor Merifield re-joined the meeting and re-took the chair.*

PC261 **UTT/22/1508/DOV - SECTOR IV WOODLANDS PARK, GREAT DUNMOW**

The Principal Planning Officer presented a Deed of Variation (DoV) application seeking permission to make revisions/amendments to the Section 106 Legal Agreement that was attached to the outline permission reference UTT/2507/11/OP.

The application had been deferred at Planning Committee on 23 November 2022 to explore the specifics of the delivery of the affordable housing and to allow the S106 to be revisited. The applicant had subsequently included a covenant clause to the extent that would prevent the occupation of more than 65 Open Market Housing Units until the Affordable Housing Land had been transferred to an Approved Body and the construction of the Affordable Housing Units had commenced.

He recommended that the Director of Planning be authorised to grant the variation.

In response to questions from Members, officers:

- Outlined the reasons for the Deed of Variation application and the historical background of the site.
- Said that the viability had been independently assessed and the reduced affordable housing calculation of 23.7%, together with other amendments was acceptable .
- Said that the density for affordable housing was 44.5/hectare and for the market rate properties was 18.6/hectare.
- Said that building work had commenced with 14 properties occupied to date.
- Referred to comments made in the Late List by UDC's Housing Strategy, Enabling and Development Officer.

- Said that an upward review mechanism could be considered.
- Said that constraints were in place from the extant planning permission, particularly relating to clusters.

Due to concerns expressed about actual numbers of dwellings involved, the developer was asked to explain the proposal, together with an application yet to be considered.

Members then moved forward to the discussion. Many expressed concerns in terms of specific numbers of affordable dwellings being included and also the general need for greater clarity, together with the application yet to be considered.

The Head of Development Management and Enforcement said that the matter could be deferred and then brought back at the same time as the further application.

Councillor Bagnall proposed deferral of the application to enable further clarification to take place and to include consideration of spreading out the affordable housing rather than in clusters.

This was seconded by Councillor LeCount.

RESOLVED that the item be deferred in line with the proposal.

*The meeting was adjourned for lunch at 1.40pm and reconvened at 2.40pm.*

*Councillor Light left the meeting, feeling unwell, during this break.*

PC262 **UTT/22/2763/DFO - LAND EAST OF WAREHOUSE VILLAS, STEBBING ROAD, STEBBING**

The Senior Planning Officer presented a reserved matters application consisting of details of layout, scale, landscaping and appearance of 10 Market Housing Plots 7 – 17 following outline application UTT/19/0476/OP for the erection of 17 dwellings. She said that the reserved matters application for the affordable housing had already been dealt with.

She recommended that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report.

In response to questions from Members, officers:

- Said that the proposed tandem parking was not ideal but that visitors parking had been incorporated into the plans.
- Provided clarification as to the landscape plan.
- Said that the development was similar to that opposite but accesses had been reduced because of electricity pylons and broadband.

Members discussed:

- Parking concerns in terms of manoeuvrability, tandem parking and possible overprovision. It was stated that UDC currently had no parking policy in relation to tandem parking and that this needed to be revised and that parking could not be a reason for refusal.
- Possible overdevelopment.
- Possible poor design.

Councillor Loughlin said that she believed that the applicant had done their best in this instance and proposed approval of the application.

This proposal was seconded by Councillor LeCount.

RESOLVED that the Director of Planning be authorised to Grant permission for the development subject to those items set out in section 17 of the report.

*Cllr C Cant (Stebbing PC) spoke against the application and S Barron (Agent) spoke in support.*

*At 3.20pm the meeting adjourned for a comfort break and reconvened at 3.25pm.*

*The Chair brought forward Agenda Item 11 at this point as speakers were waiting in the Chamber.*

**PC263 UTT/22/2491/HHF - 24A BOROUGH LANE, SAFFRON WALDEN**

The Planning Officer presented an application that proposed front and rear extension, alterations to facing materials, windows and external landscaping, including new entrance gates.

He recommended that the Director of Planning be authorised to grant permission for the development subject to those items set out in section 17 of the report.

In response to questions from Members, officers:

- Clarified the situation relating to the 45 degree rule in respect of loss of light, enclosure and tunnelling as well as what constituted a habitable room.

Members discussed:

- Whether the 45 degree rule had been correctly applied in respect of the kitchen being a living space.
- That the design proposals were potentially overbearing with the extension in the wrong direction; there would be significant loss of light with the kitchen as a funnel.
- The possible impact on the street scene.
- That there did not appear to be an impact on the property on the other side of the road.
- The potential for alternative development of the property and the possibility of working out a future solution with neighbours.

Councillor Pavitt proposed refusal of the application in that the 45 degree rule should apply, the proposal was for an overbearing development with a loss of light, with reference to H8 and GEN2.

Councillor Sutton seconded the motion.

RESOLVED that the application be refused on the grounds stated.

*E Trott and D Oelman spoke against the application. J Weet (Applicant) spoke in support.*

*There was a brief adjournment from 4.05pm – 4.10pm.*

PC264 **UTT/22/1764/FUL - WOODSIDE FARM, GALLOWES GREEN ROAD, GREAT EASTON**

The Planning Officer presented a report seeking planning permission for demolition of an existing dwelling and erection of a replacement dwelling. Alterations to existing access to provide a minor access road. Demolition of intensive poultry rearing/ production buildings and associated structures. The erection of 4 new detached dwellings with associated garaging, parking and gardens, including provision of ecology areas.

He recommended that the Director of Planning be authorised to refuse permission for the reasons set out in section 17 of the report.

In response to questions from Members, officers said:

- That the ponds were for biodiversity measures.
- That the proposed height of the dwelling was just lower than Pear Tree Cottage.
- That the applicant had explained that proposed prior-notification fallback was in place which would allow Members to have greater control.

Members discussed:

- That this was a refreshing, imaginative and honest application that looked good and would not do harm.
- Any further development would require a new planning application.
- The possible effects on the Listed Building.
- The need for a Construction Management Plan to be put in place, including times of operation and for there to be no construction traffic on the by-way.
- The need for a condition that mature planting should take place on the boundaries for a period of 10 years, rather than 5 years.

The Chair said that Essex Highways should be encouraged to look at this proposal alongside the Parish Councils affected and this could be fed into the Highways Panel.

Councillor Pavitt proposed approval of the application, subject to a Construction Management Plan and stronger landscaping arrangements as outlined above.

This was seconded by Councillor Criscione.

RESOLVED that the Director of Planning be authorised to grant planning permission for the development subject to those items set out in section 17 of the report and the those detailed in the proposal above.

*The meeting ended at 4:40 pm.*

# Agenda Item 3



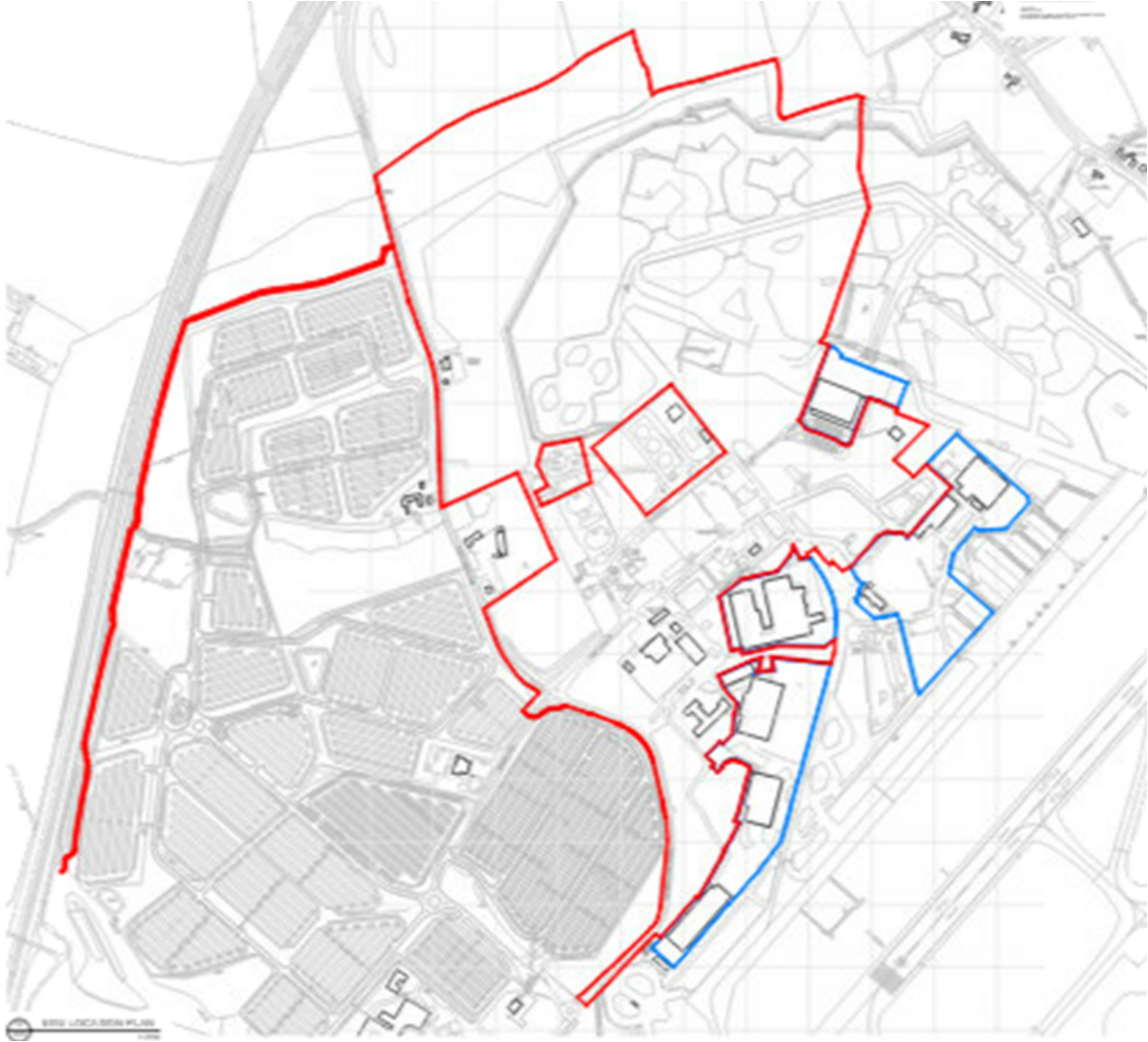
**ITEM NUMBER:** 3

**PLANNING COMMITTEE DATE:** 25<sup>th</sup> January 2023

**REFERENCE NUMBER:** UTT/22/0434/FUL

**LOCATION:** Land North of Stansted Airport

**SITE LOCATION PLAN:**



**PROPOSAL:** Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved

**APPLICANT:** Threadneedle Curtis Limited

**AGENT:** Montagu Evans LLP

**EXPIRY DATE:** 6<sup>th</sup> June 2022

**EOT Expiry Date:** 28th February 2023

**CASE OFFICER:** Maria Shoemith

**NOTATION:** Airport related uses protection area  
Aerodrome Directions  
Strategic landscape area  
Important Woodland – Round Coppice and Stocking Wood & Local Wildlife sites  
SSSI Impact Zone for Hatfield Forest  
Air Quality – M11 (within 100m) and A120 (within 35m)  
Oil pipelines hazard  
Within 250m landfill – contamination  
Noise restrictions of 57db 16hr LEQ  
Flood risk centre zone for Great Hallingbury Brook  
Public Right of Way  
Mineral Safeguarding Area

**REASON THIS APPLICATION IS ON THE AGENDA:** Major Application

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## **1. EXECUTIVE SUMMARY**

- 1.1** The application is for Outline planning permission for the demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved.
- 1.2** The application site is located west/north-west of Stansted Airport. The site's access would be taken from First Avenue, which is located off Bury Lodge Lane and Round Coppice Road that lie in the ownership of MAG however the applicant has the right to undertake highway improvements in association with the proposed development. The application site covers an area of 66.11ha of airport land that includes the proposed access, highway works and cycle route. The developable area for employment is 61.86ha. There are areas within the redline which are not included within it which are retained by the airport that consist of fuel storage tanks and storage area that also forms part of the airport's drainage.
- 1.3** As part of the outline nature of the scheme parameters are proposed to provide clarity, certainty, and limitations in terms of what is being proposed and the level of mitigation which is likely to be required. The proposed floorspace of up to 195,100 sqm of mixed employment uses to comprise approximately:
- 95% storage and distribution use (Class B8)
  - 5% mixed business uses (Classes E(g)/B2/B8)
  - Ancillary retail / café / day nursery uses (Classes E (a, b, f))
- 1.4** The parameter plans would restrict and show the extent of the development proposed, the extent of the built development zone, defined heights and maximum height limits, vehicular access points, extent of landscaping/and green zones (existing & proposed) and maximum floor area.
- 1.5** In terms of the principle of the proposed development it is in accordance with the policies within the NPPF, and Local Plan Policy AIR 6. The scheme has the potential to be in accordance with Local Plan Policies S4 and AIR4, however where the scheme is partially compliant with these policies significant weight is placed upon Paragraph 81 of the NPPF therefore the principle is considered acceptable, and the impacts discussed do not adverse nor would they 'significantly and demonstrably' outweigh the benefits of the proposal in the planning balance.

- 1.6** In terms of design layout, scale, appearance and other landscaping are reserved matter. However, based on the proposed parameters the proposed development scale would be similar to the scale of the existing buildings on site. The adopted allocation policy of the site has accepted the scale of such buildings in this location. The heights provided are maximums and have been determined by constraints on site including protecting the safeguarding of aerodromes, the take-off cones from the main runways.
- 1.7** Several aerodromes protection measures have been proposed as part of the mitigation measures. All identified hazards and public safety issues such as the fuel storage tanks, bird hazard, glint and glare, wind impact, instrumental flight procedures, security and emergency access route have been mitigated and discussed in detailed within the main report. No objections have been raised by the statutory consultees subject to conditions in this respect.
- 1.8** The buildings are proposed to be ultra-sustainable, especially the offices, meeting a high BREEAM rating. The scheme meets Local Plan Policies GEN1 and GEN2 Supplementary Planning Guidance Energy Efficiency and Renewable Energy SPG (October 2007) and the more recent Interim Climate Change Policy (2021).
- 1.9** With regards to heritage impact whilst a degree of harm has been identified, the development of this site as proposed would not result in significant harm to the detriment of the heritage assets of which the public benefits outweigh the harm in accordance with Policy ENV2 of the Adopted Local Plan and the NPPF.
- 1.10** In terms of amenity, air quality, lighting, contamination, flooding archaeology, landscaping, and ecology no objections have been raised by the statutory consultee. It has been concluded that the development is in accordance with Local Plan Policies GEN2, GEN3, GEN4, ENV13, ENV14, GEN7, ENV4 and Part 16 of the NPPF subject to mitigation measures being conditioned.
- 1.11** Following thorough discussions between the applicant and the three highway authorities, and further information being submitted, including additional mitigation in the form of contributions to traffic schemes in Stansted Mountfitchet and Takeley; the imposition of a cap on the number of vehicles entering or leaving the site during the AM and PM peaks, which will be monitored at the expense of the developer by cameras and penalties incurred for exceedances, no objections have been raised subject to conditions and other mitigation measures to be secured via a Section 106 Obligation relating to, amongst other things those specified above in paragraph 14.7.13.
- 1.12** As a result, and following thorough consideration the principle of the proposed development is acceptable in highways terms subject to

mitigations and is in accordance with Local Plan Policies GEN1, and GEN2, also the NPPF Paragraphs 107, 110, 111, 112 and 113.

**1.13** Sport England have actively played a part in the negotiations in the mitigation measures relating to the loss of the playing fields, where they have helped identify a suitable mitigation package. However, they have concerns as the mitigation requires more certainty and to better meet their policies. Notwithstanding this they have removed their Directive objection which allows a departure to their policy, should the LPA choose to recommend planning approval. In consideration of the scale of the development and the nature of the playing fields, plus mitigation package the proposed development would accord with Local Plan Policies LC1, LC2 LC3 in so far as the scope of this development and Local Plan Policy GEN6 and CIL Regulation 122 for mitigating the development.

**1.14** Therefore, and taken together, weight of the adverse impacts have been considered in respect of the proposed development and the conflict with development plan policies. However, it is concluded that the benefits of granting planning permission would significantly and demonstrably outweigh the identified impacts of the proposed development and the mitigation measures identified in Section 14.12 acceptably mitigates the proposed development subject to conditions and a S106 Agreement in accordance with CIL Regulation 122 and Policy GEN6 of the Local Plan.

## **2. RECOMMENDATION**

**2.1**

That the Director of Planning be authorised to **GRANT** planning permission for the development subject to those items set out in section 18 of this report –

A) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out

B) Conditions

**And**

If the freehold owner shall fail to enter into such an agreement, the Director of Planning shall be authorised to **REFUSE** permission following the expiration of a 6-month period from the date of Planning Committee or other period to be first expressly agreed by the Director of Planning.

**2.2**

That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.1) above, the planning permission be refused for the following reasons:

The proposed development fails to deliver appropriate infrastructure in order to mitigate any impacts and support the delivery of the proposed development. The proposal is therefore considered contrary to the implementation of Policies GEN6 - Infrastructure Provision to Support

Development, Policy GEN1 – Access of the Adopted Uttlesford Local Plan 2005 and the National Planning Policy Framework 2021.

**3. SITE LOCATION AND DESCRIPTION:**

- 3.1** The application site covers an area of 66.11ha of airport land that covers the proposed access, highway works and cycle route. The developable area for employment is 61.86ha. The site itself is largely flat.
- 3.2** It is located west/north-west of Stansted Airport. Access would be taken from First Avenue, which is located off Bury Lodge Lane and Round Coppice Road that lie in the ownership of Manchester Airports Group (MAG) however the applicant has the right to undertake highway improvements in association with the proposed development.
- 3.3** There are areas within the redline which are not included within it which are retained by the airport that consist of fuel storage tanks and storage area that also forms part of the airport's drainage.
- 3.4** Stansted Mountfitchet Village is located approximately just over 1km to the northwest of the site, Burton End lies to the northeast of the airport Birchanger Village to the west and Takeley to the south.
- 3.5** Immediately opposite the application site is the airport's Long Stay car parks. The site is currently used for a mixture of services, storage and distribution warehouses, aeroplane hangars and stands. The southern part of the site has low level buildings, including an existing fuelling station and the two storey Stansted House. Existing occupied buildings comprise approximately 21,100sqm.
- 3.6** There are three lots of residential properties that are located near the site. Within the application site are Bury Lodge Cottages which are in the applicant's ownership and are proposed to be demolished as part of the proposed development and replaced with soft landscaping which will form a continuation of the existing strategic landscaping. Adjacent to the application site fronting Bury Lodge Lane to the north of the Elsenham Youth Football Club pitches is Bury Lodge Barn a wedding venue, events and boutique hotel. This is stated to be in the ownership of the applicant on a long lease. This includes barns that are Grade II Listed Buildings. Opposite the site, next to the long stay car parks is Little Bury Lodge Farm. This residential property west of Bury Lodge Lane is owned freehold by Stansted Airport Limited (STAL) and is vacant following fire in 2021. This property is already subjected to airport related activity already.
- 3.7** The site's roads are a short distance to the M11 London to Cambridge corridor, A120 which links to the A131 and A12 beyond.

**3.8** The application site is surrounded and protected by strategic landscape along the northern and western boundary which is protected by Local Plan Policy AIR6. This is stated to be within the submission circa 50m in depth. To the most southernly point is an ancient woodland known as Stocking Wood that forms a nature reserve, and Round Coppice Wood which is a continuation of this.

**3.9** STAL refers to the application site as underused surplus land, considered to be brownfield which had been sold to the applicant August 2020. *“The Site comprises predominately developed land with areas of undeveloped curtilage. Parts of the Site were originally used as the terminal building at Stansted, from which several buildings remain, a number of which are vacant. The existing buildings are predominantly clustered in the southern area of the site, with hard standing and open space to the north,”* (Planning Statement)

**3.10** There is a relatively secluded area of grassland which has been leased to Elsenham Youth Football Club which consists of 4 football pitches.

#### **4. PROPOSAL**

**4.1** The application is an outline planning application for the demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm GIA commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved. Details of access and the proposed access have been submitted for approval.

**4.2** Below is an Indicative aerial image of the proposed development in its setting.



Indicative aerial image of proposed development

**4.3** As part of the outline nature of the scheme parameters are proposed to provide clarity, certainty, and limitations in terms of what is being

proposed and the level of mitigation which is likely to be required. The proposed floorspace of up to 195,100 sqm of mixed employment uses to comprise approximately:

- 95% storage and distribution use (Class B8)
- 5% mixed business uses (Classes E(g)/B2/B8)
- Ancillary retail / café / day nursery uses (Classes E (a, b, f))

The tables below break this down further;

**Table 4.1 – Likely Development Uses Schedule**

Land Use	Land Use Class	GIA (SQM)
General Industrial	B2	9,715
Offices	E(g) (i), (ii), (iii)	
Research and Development Industrial Processes		
Storage & Distribution	B8	184,585
Sale of Food and Drink	E(b)	630
Day Nursery	E(f)	170
<b>Total</b>		<b>195,100</b>

**Table 4.2: Proposed Height Parameters**

	Proposed Height Parameter – AOD Meters	Approximate Equivalent Height - Meters
<b>Zone 1</b>	124.100 m	24m
<b>Zone 2</b>	123.500 m	22m
<b>Zone 3</b>	120.250 m	20m
<b>Zone 4</b>	113.125 m	14m
<b>Zone 5</b>	116.050 m	16m

Proposed areas for demolition;

Unit	Occupier	Sqm	Use
Stansted House	Various	2,359	Office
MT	STAL	12,140	Workshops & yard
17a & 17b	Swissport	526	Workshop
Storage	Valet co / Av Eq	577	Stores and ancillary
Hangar 7	Titan	3,158	Offices, crew and maintenance
BIP	BIP	140	Inspection post
<b>Total Buildings</b>		<b>18,760</b>	
Open Storage	Wren Kitchens	16,480	Van storage
<b>Grand Total</b>		<b>35,360</b>	

#### 4.4

Plans have been submitted outlining the parameters proposed for the development along with a Design Code. Whilst layout and scale are reserved matters a zonal parameters plan has been produced showing

the extent of the built form. The plan indicates two primary zones, a Core Development Zone and Existing & Proposed Landscaping. It is stated that built development will be restricted to the core development zone and would not exceed the stated maximum floorspace area. The plans show the access road and the proposed substation which are for approval as part of this application. It has been stated that any ancillary building required for supporting main buildings would not be higher than 5m in height

- 4.5** The strategic landscape landscaping would enhance the existing landscape that exists on the northern/western boundary, it would enhance ecology, biodiversity, improve visual appearance and would serve also for recreational purposes. This is also expanded in the Design Code. The landscaping would also provide a protection buffer to the Heritage Asset Bury Lodge.
- 4.6** In terms of height, the parameters are stated to be reflective of what exists on site with the highest point being comparable to the existing Titan building.
- 4.7** Access is proposed to be taken from First Avenue via Bury Lodge Lane to the north and Round Coppice Road to the south.
- 4.8** As part of the scheme mitigation highway works are proposed. The vehicle access strategy proposals include improvements to:
- Round Coppice Road
  - The junction of Round Coppice Road/Bury Lodge Lane and First Avenue; and
  - First Avenue
- 4.9** A cycle route is proposed to connect to the existing network north of the Site.
- 4.10** Elsenham Youth Football Club is proposed to be relocated adjacent to Forrest Hall Park School on its playing fields, however the details of this does not form part of this assessment only the mitigation of the loss of playing field pitches are for consideration.
- 4.11** The 494 (Stansted Airport) Squadron RAF Air Corp Cadets currently utilises a building on site. The applicant has been in separate discussions with them and have offered alternative accommodation at Start Hill which is within the applicant's ownership.
- 4.12** An area which is utilised by UDC Environmental Health as part of their functions for inspections and quarantine would be lost within the application site's boundaries. It is stated that other local authorities utilise this function at the airport. Separate discussions are being had with MAG regarding its relocation on the airport.

#### 4.13

The following documents have been submitted in support of the planning for consideration;

- COMAH Assessment
- Written Scheme Of Investigation For An Archaeological Trail Trench
- Utility Planning Statement
- Transport Assessment
- Framework Travel Plan
- Technical Briefing Note - Ancient Woodland
- Sustainability Strategy
- Suds Checklist
- Statement Of Community Involvement
- Planning Statement
- Lighting Strategy
- Health Impact Assessment
- Environment Statement & Es Non-Technical Summary
- Economic Needs And Market Commentary
- Design Code
- Design And Access Statement
- Bird Strike Assessment
- Biodiversity Checklist
- Aviation Matters
- Arboricultural Impact Assessment
- 15 Year Landscape Plan

#### **DRAWING PLANS**

- VD21521-SK-017 G - Access Plan - composite drawing with red line boundary
- VD21521-DR-0133 F - Access Plan - Roundabout Proposed Levels & Earth Works
- VD21521-DR-0132 D - Access Plan - 1st Avenue Proposed Long Section
- VD21521-DR-0131 E - Access Plan - Proposed Long section
- VD21521-DR-0103 E - Access Plan - Roundabout General Arrangement
- VD21521-DR-0102 D - Access Plan - 1st Avenue General Arrangement & Cross Sections
- VD21521-DR-0101 D - Access Plan - Round Coppice Road General Arrangement & Cross Sections
- E12524/SKT/005 2 - SUBSTATION - PSS Location Drawing
- E12524/SKT/004 2 - SUBSTATION - PSS Layout Drawing
- E12524/SKT/003 2 - Substation - PSS Layout Elevation
- DR-LA-1001 01 - Illustrative Boundary Sections
- DR-LA-1000 05 - Illustrative Landscape Masterplan
- 99002 P02 - Substation - Visibility Splay



- 99001 P02 - Substation - Swept Path Analysis
- 31519-PL-111 – Existing Elevations
- 31519-PL-110 – Existing Elevations
- 31519-PL-109 – Existing Elevations
- 31519-PL-108 – Existing Elevations
- 31519-PL-107 – Existing Elevations
- 31519-PL-106 – Existing Site Plan
- 31519-PL-105 - Illustrative Master Plan
- 31519-PL-104 - Illustrative Master Plan
- 31519-PL-103 - Site Demolition Plan
- 31519-PL-102 - Proposed Height Parameters Plan
- 31519-PL-101 - Proposed Parameters Plan
- 31519-PL-100 – Location Plan
- 2158464/A/04 C - M11/A120 PRIORY WOOD ROUNDABOUT JUNCTION Improvement Scheme Preliminary Layout

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1** The proposal falls within 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regs). An Environmental Impact Assessment has been provided as part of the application submission following earlier Screening and Scoping Opinions being issues prior to the submission of the application. Relevant Statutory consultees had been involved in this process at the time and have been reconsulted on this application. Their comments are highlighted below.

## **6. RELEVANT SITE HISTORY**

- 6.1** A search of Council’s records indicates the following recorded planning history:

- 6.2** UTT/16/3601/SO - request for an EIA Scoping Opinion for “the demolition of existing structures and buildings at land northwest of the airport (referred to as ‘Stansted Northside’) and development of a new logistics centre with general industrial and storage / distribution uses to complement activities at Stansted”. The opinion was based on approximately 55ha of which up to 43ha was proposed to be developed. – Opinion given

- 6.3** UTT/21/3180/SO - Request for Scoping opinion for proposed development of a logistics hub comprising of approximately 195,100m<sup>2</sup> (2.1 million square feet((ft<sup>2</sup>)) (Gross Internal Area (GIA)) of floorspace which shall comprise of Class B8 (storage or distribution) Class B2 (general industrial) and Class E (commercial business and service) (the Proposed Development)

- No opinion given following the submission of UTT/22/0434/OP

- 6.4** UTT/18/0460/FUL – Airfield works comprising two new taxiway links to the existing runway (a Rapid Access Taxiway and a Rapid Exit Taxiway), six additional remote aircraft stands (adjacent Yankee taxiway); and three additional aircraft stands (extension of the Echo Apron) to enable combined airfield operations of 274,000 aircraft movements (of which not more than 16,000 movements would be Cargo Air Transport Movements (CATM)) and a throughput of 43 million terminal passengers, in a 12-month calendar period.
- The application was allowed by the Secretary of State on 21 June 2021
- 6.5** UTT/17/1640/SO - Request for EIA scoping opinion under Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for proposed increase in annual number of passengers to 44.5mppa and corresponding increase of 11,000 annual aircraft movements with associated construction within the airport boundary including two new links to the runway together with nine additional aircraft stands
- Opinion Given
- 6.6** UTT/0717/06/FUL – Extension to the passenger terminal; provision of additional aircraft stands and taxiways, aircraft maintenance facilities, offices, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation; alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station; together with associated landscaping and infrastructure as permitted under application UTT/1000/01/OP but without complying with Condition MPPA1 and varying Condition ATM1 to 264,000 ATMs
- Allowed by the Secretary of State on 8 October 2008
- 6.7** UTT/1150/80/SA - Outline app for expansion of Stansted Airport by provision of new passenger terminal complex with capacity of about 15 mppa east of extg runway cargo handing & general aviation facilities hotel and taxiways (incl. widening of proposed taxiway to be used
- allowed at appeal by the Secretary of State on 5<sup>th</sup> June 1985
- 6.8** A number of local and wider major schemes have been granted planning permission of which have been highlighted and taken into account within the EIA which will be assessed within the report.
- 7.** **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1** Local planning authorities are required to produce a Statement Community Involvement under Section 18 (Part 1) of the Planning and Compulsory Purchase Act (2004). The previous SCI was adopted in July 2019 and was updated in July 2020 to include the changes required during COVID-19 crisis and legislation changes. Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and that good quality pre-application discussions enable better coordination between public and private resources, and improved results for the community.
- 7.2** The applicant has engaged through a pre-application prior to the submission of this outline application. A series of pre-applications meetings had been held relating to the following;
- Mtg 1 – parameter evolution/scene setting
  - Mtg 2 – Economic impacts
  - Mtg 3 – Heritage / landscape include ecology & SUDs
  - Mtg 4 – sustainability/ Climate Change
  - Mtg 5 - design code include amenity
  - Mtg 6 -Transport /Air Quality/Noise/Contamination
  - Mtg 7 - Pre-Submission Review
  - Mtg 8 – Phasing/ Conditions/ HoT (post submission)
- 7.3** Further meetings have been had with the Ward Members, Portfolio Members, a presentation to the Planning Committee, meeting with the former Leader and there had been further follow up meetings with Urban Design, Economic Development and Highways.
- 7.4** The applicant has and is continuing to engage with the Ward Members/Parish and the Local School to look into investing in additional sports facilities in the area and to assist in finding the Local Football Club which have a temporary license to the northern part of the site an alternative location.
- 7.5** Regarding public consultation, Full details of the public consultation are detailed in the ‘Statement of Community Involvement’ report dated January 2022. As part of this the applicant had engaged Kanda Consulting as a specialist public affairs and consultation company to facilitate in managing the public engagement. The report highlighted the following public engagement and consultation exercise;
- Meeting key political stakeholders from Uttlesford District Council
  - Meeting Stansted Mountfitchet Parish Council
  - Hosting an online webinar for local residents and businesses
  - Hosting a public consultation online through a dedicated project website
  - Engagement with various local and regional stakeholders

**7.6** As well as the above a dedicated telephone number and website were set up. *“To provide greater flexibility and increased levels of engagement, a dedicated project website ([www.northofstansted.co.uk](http://www.northofstansted.co.uk)) ...was launched, which offered further information on the proposals and included an online public consultation that was open between 15th October 2021 and 31st October 2021 – enabling stakeholders the opportunity to provide their feedback”. “Residents were able to visit the website and view all background material, before providing feedback through a digital survey”*

**7.7** The report highlights that the engagement exercises had provided the following feedback amongst other things;

- Employment opportunities & the diversification of skills in this part of the District
- A reduction in employment reliance on Stansted Airport.
- A reduction in the operational area of Stansted Airport.
- Highways impacts & road improvements, particularly Junction 8 and Round Coppice Road.
- Sustainable & active travel opportunities, i.e., cycling, walking and bus routes, for example, Electric bus transfers between local railway stations and the Site, as well as improving connectivity from the Site to Stansted Mountfitchet village and surrounding areas through improved walkways and cycleways.
- Community benefit opportunities, i.e., investment in sports facilities locally.
- Green leases & green credentials.
- Early years provision, i.e., on-site creche.
- On-site occupiers
- And the types of tenancies and occupiers expected on site.
- Construction and apprenticeships opportunities
- Working with Stansted Airport College, for example.
- The relationship between the proposed redevelopment and the Council’s emerging Local Plan.
- Including the redevelopment of a largely brownfield and underutilised site.

- 7.8 The Statement of Community Involvement goes on to state that 3,800 users viewed the project website during the consultation period, with a total of 61 feedback surveys completed. The majority of respondents live in close proximity to the site. A breakdown of the topics raised, and responses can be viewed in the Statement of Community Involvement document.
- 7.9 A flyer was stated to be distributed to circa 4,900 addresses on 15<sup>th</sup> October 2021 to introduce the project website and public consultation. The scheme was stated to be advertised on social media of which the campaign ran between 18<sup>th</sup> and 31<sup>st</sup> October 2021. It is stated that the social media campaign reached 14,059 people. A live webinar was hosted 26<sup>th</sup> October 2021 which was also advertised on the public consultation flyers. 63 questions or comments were submitted on the back of the webinar.
- 7.10 A tour of the site was held with Stakeholders.
- 7.11 It is considered that the applicant has fully engaged with all known interested parties in accordance with UDC and NPPF guidance and policy and has been fully engaging in the pre-application process.
- 7.12 Together with the above engagement process the application site had been submitted as part of the Call for Sites as part of the work towards the Draft Local Plan. The site had formed part of a wider area covering 100ha. In support of this an employment needs survey had been submitted.
- 7.13 UDC was at an advanced stage in the Local Plan review process before withdrawing the draft Local Plan in April 2020. This followed the Planning Inspector's recommendation to do so. The draft Plan sought to allocate the Site for employment development comprising the principal strategic allocation in the District. The reason for the withdrawal was the perceived insufficient evidence base to support the allocation of three new garden communities. Policies and proposals in relation to the application site were not cited within the Inspector's recommendation to withdraw. The site through its passage of the draft local plan process sought the removal of any requirement for the employment uses to be airport related.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **Highway Authorities**

#### **8.1 National Highways – No objection subject to conditions**

- 8.1.1 National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN

is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

- 8.1.2** This response represents our formal recommendations with regards to the above planning application and has been prepared by Mark Norman. This response should be read in conjunction with the responses from ECC's Highway Authority and MAG Stansted Airport. All three highway authorities have worked together in assessing the relevant access implications of the development and we agree the impact of the development on the surrounding highway networks and the sustainable access measures and mitigation.
- 8.1.3** We have reviewed the technical information provided in support of this planning application. The development has the potential to have a material impact upon the Strategic Road Network, to address this the developer has suggested a monitor and manage approach, and they have recently provided some details to be included in a S106 agreement. Physical capacity and safety improvements are also required these are detailed below.
- 8.1.4** A clause similar to that include within the S106 permission for Stansted Airport expansion should be included with the S106 for this development as it would allow the option of contributing to a larger improvement scheme if one were to materialise.
- 8.1.5** We therefore recommend that planning permission can granted with Conditions.

## **8.2 ECC Highways – No objection subject to conditions**

- 8.2.1** This application was accompanied by a Transport Assessment which has been reviewed by the highway authority in conjunction with a site visit and internal consultations. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2021 and in particular paragraphs 110 – 112, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.
- 8.2.2** This site falls under three highway authorities Essex County Council (the local network), National Highways (strategic network) and Stansted Airport (the network within the airport land). All three authorities must be satisfied that the impact of the application is mitigated and that sustainable options have been taken up in accordance with NPPF. The highway authorities have been working together to ensure that all the areas have been covered and that the impact on the networks is acceptable.

- 8.2.3** The proposal includes capacity enhancements to the M11 and Priory Wood roundabouts which are on the National Highways network and have been reviewed and agreed by National highways.
- 8.2.4** The proposal also includes changes to the Round Coppice Road roundabout including capacity enhancements and footways to improved bus stops served by bus 510 which serve Harlow, Bishops Stortford and the south of Stansted Mountfitchet. These are on the Stansted Airport Network.
- 8.2.5** While the local highway authority has made some comment on these it is expected that Stansted Airport will recommend conditions/S106 obligations on access. Similarly National Highways will recommend conditions/section 106 obligations for the capacity enhancements on their network.
- 8.2.6** An initial response was made by the Local Highway Authority in July 2022. This identified eight areas where the highway authority had concerns or required further information. Since that time further information had been provided. Key to ensuring the impact on the network is acceptable is the imposition of a Cap on the number of vehicles entering and leaving the site in the peak period. This is to be monitored automatically by cameras and the data supplied to the highway authorities. There will be financial penalties if the cap is breached, and the funding put into mitigation works, the key principles are outlined in the conditions below.
- 8.2.7** In addition to the Cap on the number of vehicles accessing and exiting the site the development will be subject to a number of obligations to protect the local highway, these include a routing agreement that will be enforced by CCTV to ensure HGVs do not route through Stansted Mountfitchet. A contribution to funding for schemes within Stansted Mountfitchet to help develop and fund schemes to protect the highway against illegal HGV movements and improve the efficiency and capacity of the Four Ashes junction.
- 8.2.8** Sustainable transport mitigations include provision of a bus service between the site and Stansted Airport rail and bus station to connect to local services, this will be operational in perpetuity and will serve all the shifts. There is an opportunity to extend this to serve the local area but this will depend on the need, which will be monitored through the Bus strategy and Travel Plan. A walking cycling route will also be provided that links to the local network to Bishops Stortford and the Flich Way. Opportunities were looked for to improve the cycling network on the Stansted network but for ecological reasons this was not possible.
- 8.2.9** A travel plan will promote sustainable travel to site, the co-ordinator will work with the airport travel plan team and the same benefits that Stansted employees have will be given to the employees at this site.

**8.2.10** From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to obligations and conditions.

**8.3 MAG – No objection subject to conditions**

**8.3.1** Thank you for consulting MAG as the highway authority for the Stansted Airport roads. The review of the supporting material for the application has not been concluded and therefore we would request that the application is not determined until a full response is reviewed by the Council from all of the three highway authorities.

**Updated Comments**

**8.3.2** In respect of the above application, Stansted Airport Limited (STAL) as the Highway Authority for the airport has no objections, subject to conditions for the re-development of Land North of Stansted Airport. Please note that should the suggested conditions not be applied or not obligations entered into by the applicant, as part of any permission, then STAL as Highway Authority would object to the planning application.

**8.3.3** This response should be read in conjunction with the responses from ECC Highway Authority and National Highways. All three highway authorities have worked together in assessing the relevant access implications of the development. STAL concurs with ECC's and NH's responses on the impact of the development on the highway networks and the sustainable access measures and mitigation.

**8.4 Lead Local Flood Authority – No Objection subject to Conditions**

**8.4.1** Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions.

**8.5 Historic England - No Comment**

**8.5.1** Historic England provides advice when our engagement can add most value. In this case we do not wish to offer advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/> It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

**8.6 Environment Agency – No objection**



- 8.6.1** No objection in principle would expect that any development does not restrict access to the COMAH facility in any way for emergency response arrangements.
- 8.7** **ECC Education – No Objection**
- 8.7.1** There is ongoing consideration of the proposed nursery and comments will be forwarded as soon as possible. ECC welcomes the inclusion of childcare facilities to support people working at the site, as well as residents in the area who require access to local childcare.
- 8.8** **Aerodrome Safeguarding Authority - No objection subject to condition/advice.**
- 8.8.1** Thank you for consulting the aerodrome safeguarding authority for Stansted Airport on the above proposed development. This is a holding response because we have not yet concluded our technical evaluation of this significant development adjacent to the airport. Our full formal response will follow as soon as possible.
- 8.8.2** **Updated Comments**  
The Aerodrome Safeguarding Authority for Stansted Airport (STN) has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. Our following response is made as a statutory consultee under the provisions made to safeguard aerodromes in Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002.
- 8.8.3** No objections are raised subject to conditions and a Crane advisory Permit is required.
- 8.9** **NATs - Neutral**
- 8.9.1** There is insufficient information at this stage for us to undertake an in-depth assessment however a development of this scale so close to the airport has the potential to degrade the communications, navigation and surveillance equipment NATS operate in support of the air traffic operation at the airport and this should be considered as the design matures.
- 8.9.2** Initial work indicates that our radar to the north of the runway is the most likely candidate to experience issues although these are likely to be mitigatable if the developer is willing to work with us.
- 8.9.3** Cranes and other large plant deployed during construction also have the potential to cause issues although again these are likely to be manageable if NATS are engaged early enough.
- 8.10** **Natural England – No objection**

**8.10.1** Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A.

**8.10.2** Sites of Special Scientific Interest  
Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

**8.10.3** Sites of Special Scientific Interest Impact Risk Zones  
The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](http://data.gov.uk) website

**8.11 Health & Safety Executive (major hazard sites/pipelines) – No Objections**

**8.11.1** Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

**8.12 Health & Safety Executive (Explosions) – No Objections**

**8.12.1** I see from your website that you have a response from HSE with concern to any major hazard sites/pipelines – this has been dealt with as a separate issue.

**8.12.2** HSE's Explosives Inspectorate has no comment to make on this application as according to our records it does not appear to fall within the consultation zones of an HSE licensed explosives site. If you believe that this development is within the vicinity of an HSE licensed explosives site, please let me know.

**8.12.3** Could you please ensure that prior to sending an further applications for advice to HSE's Explosives Inspectorate, you check your records and/or the HSE Planning Advice Web App at <http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm> to confirm that development falls within the safeguarding zones for a HSE licensed explosives site.

**Further to detailed discussions with HSE further comments dated 11.01.23**

**8.12.4** 1. Thank you for your letter of 22 December 2022 to the Health and Safety Executive (HSE) asking for a review of the Land Use Planning (LUP) advice provided for the outline planning application UTT/22/0434/OP for a commercial development, café and creche on land north of Stansted airport.

**8.12.5** 2. HSE is a statutory consultee for certain developments within the Consultation Distance of major hazard sites and pipelines by virtue of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

These types of development include:

- residential accommodation;
- more than 250m<sup>2</sup> of retail floor space;
- more than 500m<sup>2</sup> of office floor space;
- more than 750m<sup>2</sup> of floor space to be used for an industrial process;
- transport links;
- or developments which are otherwise likely to result in a material increase in the number of persons working within or visiting the notified area.

**8.12.6** 3. We note that Uttlesford District Council used the WebApp in February 2022 (ref HSL220215110716-45) to obtain HSE's LUP advice for the outline planning application. The WebApp consultation identified that part of the development site lies within the consultation zones for a major hazard site, the fuel depot operated by S & J Robertson (North Air) Ltd at 11th Avenue, Stansted Airport. These consultation zones were established by HSE in March 2007 in response to hazardous substance consent applications for the fuel depot to Uttlesford District Council. Major hazard sites are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity.

**8.12.7** Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation.

**8.12.8** 4. The WebApp uses a decision matrix with the combination of the consultation zone and sensitivity level (<https://www.hse.gov.uk/landuseplanning/methodology.htm#matrix>) to determine HSE's response, which will be that HSE either "Advises Against" (AA) or "Does Not Advise Against (DAA) the granting of planning permission for the proposed development.

**8.12.9** 5. In the WebApp consultation by Uttlesford District Council in February 2022 the development area was assigned to workplaces each with less than 100 occupants per workplace building and each workplace

building having less than 3 occupied storeys, but not specifically for people with disabilities. HSE's LUP methodology classes such workplaces as sensitivity level 1 developments.

**8.12.10** The WebApp gave a Does Not Advise Against recommendation for the development as HSE **does not advise against sensitivity level 1** developments in the inner, middle or outer consultation zones of a major hazard site. HSE review of LUP advice for outline application UTT/22/0434/OP.

**8.12.11** 6. Thank you for providing the plan from the developer showing the proposed size and location of the café and creche on 5th January (drawing 31519-SK-Revised submitted to Montagu Evans LLP to Uttlesford District Council on 21 December 2022 – Appendix 1). We note from this plan and from drawing 31519-PL-104 that the café will be located in the outer consultation zone of the major hazard site (Appendix 2) and will have a total floor space of between 250 and 5000 sqm. As a development for indoor use by the public a café of this size will fall into sensitivity level 2. HSE does not advise against a sensitivity level 2 development in the outer consultation zone of a major hazard site.

**8.12.12** We note that the creche will be located partly in the outer consultation zone of the major hazard site and will have a total site area of less than 0.25 hectares. As a development for institutional accommodation and education a creche of this size will fall into sensitivity level 3. **HSE does not advise against a sensitivity level 3** development in the outer consultation zone of a major hazard site.

**8.12.13** 7. In summary, this review indicates that based on the information submitted for the planning application and the consultation zones for the S & J Robertson (North Air) Ltd major hazard site established in 2007, **HSE's Land Use Planning advice team does not advise against outline planning application UTT/22/0434/OP on safety grounds.**

**8.12.14** 8. In the case of Outline Planning applications where the proposed layout and the scale of the development may only be indicative, we would strongly suggest that should any changes be proposed after the outline permission has been granted, that HSE's LUP advice is obtained again before reserved matters are determined.

## **8.13 Health & Safety Executive (Hazardous installations) – No Objections**

**8.13.1** I note that Uttlesford District Council used the HSE Planning Advice Web App on the 15 February 2022 to consult HSE regarding the above planning application - HSL- 220215110716-45 HSE Does Not Advise Against. Therefore, HSE have no further comments to make regarding this planning application. If any of the details regarding the planning

application have changed then Uttlesford Dc must use the HSE Planning Advice Web App to re-consult with HSE.

#### **8.14 Fisher German OIL Pipes – Neutral**

**8.14.1** identified UK Power and Cadent Gas with an interest to consult.

### **9. PARISH COUNCIL COMMENTS**

#### **9.1 GREAT HALLINGBURY PARISH COUNCIL – No Objection**

**9.1.2** No objections as such, but it should be looked into improving the access of the north side.

#### **9.2 STANSTED PARISH COUNCIL - Holding objection**

##### **9.2.1** 1. Principle of the designation of the land

Uttlesford District Council's current planning policy is to safeguard all the land within the airport boundary for airport-related use - "Industrial and commercial development unrelated to the airport will not be permitted on the site". Approval of this application would contravene that policy. There is evidence within the comments submitted on the planning portal that at least one airline, Universal Aviation, rely on part of this site for parking their aircraft. The emerging new Local Plan indicates that this "airport-related only" designation may be relaxed to permit small scale ancillary retail and leisure (as defined in Use Classes A1 to A3 and D2) to serve the needs, primarily, of employees in the area. Use class B8 (predominant use of this application) is not listed as permitted.

##### **9.2.2** 2. Re-provision of youth football pitches

The Council has had several meetings with the applicant and has visited alternative sites which we consider could be more suitable. We were not party to the discussions with BMAT and have no sight or knowledge of the proposed operating model. We do not consider that the Forest Hall School location is the most satisfactory to benefit Stansted and Elsenham players and we have significant doubts that the operating model of management would treat them as a priority. We endorse wholeheartedly the comments made by Roy Warren, Sport England, 11 March 2022. We look forward to playing a key role as stakeholders in negotiations going forward. UDC has frequently acknowledged that Stansted falls short in terms of sporting provision. This is an opportunity not only to make provision for what is being lost on the airport site, but to work with the community to enhance that provision for the wider benefit.

##### **9.2.3** 3. Pedestrian and Cycle links

Insufficient community gain in terms of safe routes to and from Stansted Mountfitchet. In the Environmental Statement Volume 1, Chapter 7 Traffic and Transport, it is stated that Church Road has footways on both sides - this is inaccurate. No attempt has been made to safely connect

the route from Church Road across to PRow45 as can be seen in Figure 7.3.

**9.2.4** 4. Public Transport

There has been no attempt to improve the bus service for residents of Stansted Mountfitchet. The 510 service connects Foresthall Park with the airport, however this is not easily accessed by many residents in Stansted, especially those living centrally or to the west. Would like to see discussions about broadening the route of the 510 or re-routing the 7/7A existing service to connect with the 510.

**9.2.5** There appears to be no plan to improve the number of airport trains stopping in Stansted Mountfitchet. Generally, it will be very difficult for any resident of Stansted who wishes to work at this development site, to access by public transport.

**9.2.6** 5. Impact on Local Highway Network

Any increase in commercial non-airfield related business will add to the burden on the local infrastructure. Should such a vast scheme become reality, then the projected growth in traffic volume, published by Stansted Airport Ltd in their application to expand to 43mppa, is likely to be exceeded. No matter whether HGVs will be forced to access and egress via Junction 8 of the M11, there will still be the incoming/outgoing routes of employees and smaller transport.

**9.2.7** In the Environmental Statement Volume 1, Chapter 7 Traffic and Transport, page 19 at 7.110 it is stated that the average increase in traffic using Church Road, over a 24-hour period, is 4% representing a negligible impact. It must be remembered that this increase comes on top of the predicted 30.2% increase claimed by Stansted Airport Limited following their studies related to the planning application to increase to 43mppa.

**9.2.8** 6. Building Heights

We support the comments made by a resident of The Forge, Burton End. The proposed building heights appear to be excessive rather than the "industry standard" when compared with other examples quoted. The effect on residents of Burton End in particular, will be devastating. Whilst it is stated that matters of layout, scale and appearance are reserved until the detailed application stage, the information is included as part of the outline application and we would ask you to set a maximum height which will be allowed. It may well be that this land ceases to be part of the "airport in the countryside" but the requirement for the buildings to sit more sympathetically in their surroundings should be adhered to.

**9.2.9** 7. Air Training Corps

We are concerned that the ATC, a squadron which has had the airport as its home for decades, has been given notice to quit without any re-provision suggested. As with the youth football pitches, the minimum we would expect is an alternative site to be allocated by Columbia

Threadneedle on the new development, or a requirement that Manchester Airport Group offer an alternative within the airport boundary.

**Updated comments received 19.12.2022**

- 9.2.10** Until such time as the draft Uttlesford Local Plan is available it cannot, and should not, be assumed that this policy will be changed, and the planning committee should therefore not prematurely support the application.
- 9.2.11** We agree with the comment from Sport England that the information provided for the 3G pitch at Forest Hall School is lacking in detail and a long way from providing confidence that it can be delivered at all or in a timely manner.
- 9.2.12** The proposed facility enhances the school's facilities at no cost to BMAT even though the majority of pupils attending the school are not local residents. It should be noted that Elsenham Junior football clubs, whilst being able to use this facility, will also benefit from improvements to the pitches at the Elsenham Recreation Ground and, furthermore, will benefit from the further provision of pitches provided by Bloor Homes under a separate approval.
- 9.2.13** There needs to be a direct link between Stansted Mountfitchet and the Northside site. On reflection, it would make more sense and be of benefit to more local residents to base this on the Bridleway through Parsonage Farm and use Footpaths 27 and 28 to link with your proposed cycleway extension
- 9.2.14** The "Commitment to make two shuttle buses available during shift changeover hours" (Montagu Evans) will, we believe, only link the site with the Airport railway station. With only one train per hour serving the village, there appears to be no plan to improve the number of airport trains stopping in Stansted Mountfitchet. This has no direct benefit for any residents wishing to work at this site or travel from the airport. The logical step would be to work with the bus companies to provide a link between the 7/7A and 510 routes and to increase the frequency of the 510.
- 9.2.15** This application offers little direct benefit to the community of Stansted Mountfitchet, within whose parish boundary the site sits. Essex Highways are working on a scheme to prevent HGVs from entering the village unless they are delivering to a specific address and we request that the applicant liaise with Essex Highways with a view to contributing funds under a S.106 agreement either towards this scheme, or towards safety improvements to Church Road – the existing scheme being unsuccessful.

**9.2.16** Recent discussions with the ATC tell us that no replacement accommodation has yet been agreed and the one referred to by Montagu Evans is not suitable.

Conclusion

**9.2.17** The development site sits within the parish of Stansted Mountfitchet and yet our community does not stand to gain any material benefits other than the re-provision of football facilities, on a private site, for Elsenham Junior Football Club. We understand that it offers employment opportunities and wonder if any condition can be imposed to support local recruitment?

**9.2.18** If the planning committee is minded to approve the application, we wish to see:

- a) Improved bus services
- b) Funds towards Highways improvements
- c) Additional footpath/cycleway link
- d) A CIC established with a majority membership of parish/district councillors and Stansted and Elsenham junior football club representatives

## **10. CONSULTEE RESPONSES**

### **10.1 Urban Design**

**10.1.1** The size and nature of the typology of proposed buildings including associated highways and servicing requirements, the construction materials associated with this type of building i.e. concrete and steel, the site constraints in terms of existing buildings, and the proximity of Stansted airport in terms of unsuitability for other uses and restrictions on green infrastructure, all combine to pose challenges for conventional placemaking/ sustainable building but are generally outside of the applicant's control. The scheme does include positive features which work towards meeting these challenges, including provision of design code, which needs to be conditioned to ensure compliance at reserved matters stage. Low-carbon modular timber structural systems for this typology of building should be included in the design code, to guide subsequent reserved matters applications in the direction of net zero carbon construction which does not rely only upon carbon off-setting.

#### **Updated comments 5.04.2022**

**10.1.2** Further to submitted urban design consultation summary, see addendum below detailing design comments on the above application:

**10.1.3** As detailed in the summary, the main concern is how to achieve good human scaled placemaking within the constraints of large buildings with small ratios of active frontages, large areas of car parking, large roads, and greatly reduced SUDs, green infrastructure, and trees. The overall approach of this scheme is very much a zoned out-of-town



place that encourages car use, rather than a walkable place that has a finer grain of mixed-uses encouraging active travel. Having said that, the scheme does include/suggest design and sustainability aspects that are markedly better (in the context) than the average, and that is noted.

**10.1.4** Active and sustainable travel

On the street scene, there is no cycle infrastructure (cycle lanes, stands, junctions, crossings) shown, nor any pedestrian infrastructure such as crossings, paths which continue over junctions etc. Raised tables could be used wherever possible depending on the grade of street, potentially not possible where HGVs are involved. Highways to confirm, but EDG street types B, C, and D specify 3m wide verges, street trees, and buses able to stop in carriageway which may enable 3 lanes to reduce to 2.

**10.1.5** In sustainability statement, 'where possible' to be removed from the following statement: 'The development will be designed to incorporate the following measures where possible to ensure a highly energy efficiency, low carbon and 'future proofed' building'.

**10.1.6** Detail needs to be included in design code re. bus stops to specify seating, weather protection, real-time information board, refuse bins, landscaping etc.

**10.1.7** Central pedestrian refuge must be included where required rather than 'will be considered'. Ditto for raised tables where compatible with highways and HGV requirements. Continue materials and level over junctions to maintain pedestrian hierarchy wherever possible. Footpath continuity over junctions where possible. High quality materials such as pavers etc will likely be limited to key entrances and public realm, but buff/light coloured tarmac should be considered to raise quality of materials where possible, shared cycle/footpath would be appropriate in this material.

**10.1.8** Landscaping

The applicant should demonstrate more innovative and ambitious ways that we can include greenery in the context. All options should be explored and tested before taken off the table due to aerodrome safety. Green walls which could provide some vital greenery were suggested, as were rills which could be above-ground depressions formed of granite setts or similar that run alongside footways and direct rainwater away, rather than being directed straight into plastic underground - the water would not be standing. There are many more ideas that could be explored including SUDs which don't have standing water but do slow the flow of surface water via planted verges.

**10.1.9** The below must be caveated by making clear that urban design is not the relevant consultee in the area of safeguarding aerodromes. Any proposals in this regard will need to be agreed with the relevant

authority on aerodrome safety. The Safeguarding of Aerodromes (CAP 738) document mentions (para 3.22) that 'building design including large area of flat or shallow pitched roof' may be deemed an 'unintended hazard' in the same category as SUDs, trees, other restricted landscaping and features. Does this mean that pitched roofs are less of a hazard? If some were achieved possibly for smaller buildings, or sawtooth industrial style pitches, would this reduce the risk in that area to enable a few more trees?

- 10.1.10** Likewise in Wildlife Hazard Management at Aerodromes (CAP 772 pg 24) it mentions that long grass seems to be less of a risk than short grass, could these mean opportunities for wildflower meadows (or at least wildflowers strips alongside footways, verges etc) rather than short-cropped grass which has little amenity or biodiversity value? Short-cropped grass generally should be reserved for areas that people might sit, verges and other unusable areas should generally be wildflowers or more robust quality planting/shrubs. Again, all this must be designed and agreed with the relevant authority on aerodrome safety.

Have the height envelopes been reviewed by the landscape officer?

- 10.1.11** Car parking should be hidden from view by buildings, soft landscaping, green walls, 'greened' fences etc as far as possible and the code should explore more detailed ways to achieve this.
- 10.1.12** Verges would be better (from a design point of view) between the footway and vehicular road, to buffer pedestrians from HGVs.
- 10.1.13** Need to define metric for minimum number of trees per given area in parking, usually 1 per 4 spaces but this will need coordination with safeguarding.
- 10.1.14** Building character  
It will obviously be very difficult to build on any sort of local character or vernacular with these buildings and we should see the rationale behind colour choices and define some in the code. A more varied character throughout the site should be achieved, with distinct 'character areas' that could aid with wayfinding and break the site down to a more human scale. Character areas could be fairly simply defined around features such as the entrance 'gateway', main avenue, central amenity green, secondary 'streets' off main avenue etc. Variable character features could be roof forms, facade colour, signage graphics, materials, types of canopy, fenestration etc. The 'supergraphic' approach shown to signage is supported.
- 10.1.15** Can visual mass be broken down with stepping/inset facade elements as well as vertical panels. The shadows this would create would be more effective at breaking down the mass, whilst being fairly straightforward to achieve.

- 10.1.16** Design code states an architectural language 'appropriate to the aspirations of modern business' which is logical but does not consider local character nor local people's opinions. The code needs to explore what this looks like, and options, also for meaningful community engagement so local people can have more of a say on what this new place will be like.
- 10.1.17** As a minimum this code should explore possible colour schemes, combinations, detailing, etc, and highlight bad practice/colours to avoid, rather than state only colours/materials in text.
- 10.1.18** Employee amenity greens - the design code should show some design principles that can be applied to any layout, and also some examples measured layouts which embody these principles and can inform RMAs. These will be vital spaces and code should explore detailed design options for these elements - they will be one of the main opportunities to improve the user experience of the place.
- 10.1.19** 'Village green' - details/diagrams/images of what this means/could be/shouldn't be? Again, another key space that would benefit from some diagrams exploring how it might come together and establishing key design principles e.g. relationship to streets/built form, types of landscape 'rooms' and spaces, how different uses are incorporated, principles of access etc. Would suggest changing the name of the village green to something more urban and reflective of its true character.
- 10.1.20** Street enclosure  
The principle of active frontages addressing public realm and creating enclosure of space needs to be followed as far as possible. On the street scene shown, the frontage on the right hand side of the street is much more successful, simply because the car parking is moved to the rear (or at least side) of the buildings - this enables the public realm to be addressed by soft landscaping and active frontages rather than a large car park as is the case on the opposite side of the street.
- 10.1.21** It is noted that the type and scale of building, and the parking required will not enable enclosure to the degree of a mixed-use high street for example, but areas of the scheme are more successful than others and the approach should be maximised.
- 10.1.22** For example, illustrative masterplan option 2 (pg. 5 of design code pamphlet) is a better option as the central amenity green could be enclosed by buildings rather than parking (if the square-ish building to the north of the green was flipped with its parking). Either way the amenity green should be enclosed with active building frontages and not car parking.

- 10.1.23** Units 2 and 4 (on landscape drawing) successfully enclose the public realm and hide car parking, units 5,7,8,9,10 are semi-successful as the public realm is addressed by buildings but also parking. Could the car park at the front of unit 11 be shifted round the back or side for example?
- 10.1.24** In the design code drawings and diagrams (rather than only words) are required to demonstrate principles of: Offices fronting the main road where possible, Segregated movement strategy for pedestrians and vehicles, Inward facing service yards where possible, Human scale will be considered with feature changes at a height of around 2.5m to provide a sense of human proportion to the ground level.
- 10.1.25** The principle of drawings and diagrams being used rather than only words is set out in the National Model Design Code.
- 10.1.26** Sustainability  
Ambitious targets for net zero carbon have been set out which is supported, and the design code should show how these might be achieved at reserved matters. E.g. what low embodied carbon materials are actually available for these kinds of buildings that aren't just concrete and metal? Would timber structure be feasible in select locations, and would the form/bays of the building need to change to accommodate this? In terms of passive design, again what approaches can be taken to buildings of this type, e.g. how should habitable accommodation be thermally separated to ensure minimum space is being heated, how should solar shading be incorporated and on what facades etc. The design code should show ways that net zero carbon can be achieved through detailed design to guide applicants and officers at reserved matters. Please see LETI commercial design guide [252d09\\_0b2d7fb1e19d46ceb4701ec911e0656b.pdf](https://www.leti.london/252d09_0b2d7fb1e19d46ceb4701ec911e0656b.pdf) (leti.london). This guide is not adopted or endorsed by UDC but is useful guidance, nonetheless.
- 10.1.27** Requested in the design code detailed measured examples of design measures that can be taken at reserved matters stage to help meet BREEAM outstanding e.g. daylight level, walking/cycling facilities, water recycling, etc. Officers will need to know exactly what to look and ask for rather than only high-level principles. Can some more best practice office design principles/example layouts be explored and demonstrated e.g. naturally lit spaces, communal spaces for well-being, details of user-controlled environmental controls such as shading etc.
- 10.1.28** Please see a product/system that could be referenced in the design code: Industrial buildings - Building concepts | Stora Enso It's a product for industrial/commercial buildings made from wood, lowering the embodied carbon in construction, other products are available. Some of the examples could be included in the design code, and layout principles/setting out dimensions allowed for. We would not be

specifying/stipulating the system at this stage but including this useful information could inform reserved matters applications. This would enable improved and more reliable carbon reductions, on top of the carbon offsetting which is being allowed for.

**10.1.29** Early Years

More details, diagrams, precedents, measured layouts required to show how early years will be an exemplar designed facility and provide a safe and healthy environment for parents, children and early years practitioners taking into account large highways, pollution, active travel challenges, noise etc.

**10.2 UDC Environmental Health – No Objection**

**10.2.1** The site is currently used for a mixture of Airport related services, storage and distribution, aircraft hangars and stands, and is part of the historic and redundant Stansted Airport site. The Proposed Development will be phased and is due to be completed in 2028 with the first unit open by 2024.

**10.2.2** Due to the nature, size, location, and proximity of the proposed development to existing residential dwellings there is the potential for adverse impact to the environment and human health. This applies both during the construction phase and from the commercial activities and increased traffic movements after its completion.

**10.2.3** The potential receptors include the existing residential properties and park homes to the east, west, north, and northeast of the proposed site. There are also potential receptors which will be introduced as part of the development such as Hotel, and office accommodation and the proposed school nursery.

**10.2.4** The application is at outline stage and has been supported by a significant amount of documentation. This includes an Environmental Statement prepared by Trivium on behalf of the applicant Threadneedle Curtis Limited which this service has referenced in making this response and in particular Chapter 5: Demolition and Construction, Chapter 8. Noise and Vibration, Chapter 9. Air Quality, and Chapter 16. Ground Conditions, and Chapter 19: Environmental Management, Mitigation and Monitoring Schedule.

**10.2.5** The overall conclusion is that this service has no objection in principle to this development. However due to the scale and complexity of the scheme there will need to be suitable conditions attached to any consent granted at the reserved matters stage to ensure that there are no adverse environmental impacts arising from both the construction phase and the completed development. To this end we would recommend that there is liaison between the Councils planners to draft and secure appropriate conditions.

**10.2.6** Notwithstanding the above there are some initial specific comments regarding the main areas to be considered.

**10.2.7** Noise and vibration

Baseline noise surveys have been conducted in 2015 and 2017 to establish the existing conditions at and around the site. The monitors were located at key positions on the site boundary to be representative of existing residential accommodation. The 2017 survey positions were agreed at the time with the Council. It is considered that these surveys remain representative of the baseline noise climate and do not need to be repeated, and are therefore the data is suitable for assessment of the noise impacts of the Proposed Development

**10.2.8** Necessary mitigation measures will need to be implemented to reduce or prevent potential health impacts associated with the demolition and construction phase of the Proposed Development and the activities arising from the completed scheme.

**10.2.9** The key considerations in relation to the noise and vibration assessment will be as follows: -

**10.2.10** The implementation of good practice construction noise and vibration control (through the use of best practicable means). Preliminary construction noise and vibration assessments will need to be undertaken assuming no mitigation control and then reviewed to the magnitude of noise and vibration impacts from other introduced sources.

**10.2.11** The following will need to be considered.

- Noise and vibration from operational B8 (distribution) use on site, specifically vehicle movements, loading/unloading etc.
- Noise and vibration from Operational B2 (general industrial); - Fixed plant noise; and –
- Changes in noise level alongside roads due to changes in traffic flow on those roads.

**10.2.12** The aim would be to set noise limits from fixed plant for all of the proposed uses and the operation of the general industrial use is which are 5 decibels (dB) below the measured background noise level during the day and evening (06:00-23:30) and night time (23:30-06:00) periods, with a further penalty for any plant/activities that exhibits attention attracting characteristics likely to be audible at receptors, in accordance with British Standard (BS) 4142:2014+A1:2019 guidance<sup>30</sup>. It is considered that this would adequately safeguard the existing residential amenity.

**10.2.13** An outline code of construction practice is provided within Volume 2, Appendix: Noise and Vibration – Annex 4. It is suggested that the measures contained within this outline code of construction practice be

discussed and agreed to via planning condition at the reserve matters stage to be incorporated into a Construction Environmental Management Plan (CEMP).

**10.2.14** Contaminated Land

This has been considered and is outlined in Chapter 16: Ground Conditions. An initial Desktop study has been undertaken to assess the potential extent and receptor pathways of land contaminants.

The following receptors have been considered within this assessment:

**10.2.15** Existing Receptors

Human Health

- Current site users (Low Sensitivity);
- Maintenance workers (High Sensitivity); and
- Contractors (High Sensitivity).

Controlled Waters

- Shallow groundwater within the Made Ground (Low Sensitivity);
- Lowestoft Formation (Secondary Undifferentiated Aquifer) (Low Sensitivity);
- Glacial and Kesgrave Sands and Gravels (Secondary (A) Aquifer) (Medium Sensitivity);
- Surface water features – Balancing Pond A (Low Sensitivity); and
- Surface water features – Pincey Brook, Bury Lodge Stream, Great Hallingbury Brook and the River Stort (High to Medium Sensitivity).

**10.2.16** Introduced Receptors

Human Health

- Future site users (Low Sensitivity);
- Maintenance workers / contractors (High Sensitivity); and
- Demolition and construction workers (High Sensitivity).

**10.2.17** Other (Below Ground Services)

- Potable water supply pipes (High Sensitivity); and
- Buried concrete (High Sensitivity).

**10.2.18** The baseline conditions have been summarised with details provided in the Volume 2, Appendix: Ground Conditions – Annex 1 of the Environmental statement.

**10.2.19** There are proposed mitigation, monitoring and residual measures to mitigate the potential effects to current site users and worker in the demolition and construction phase and to break any pollutant linkages. In particular the completion of a Phase 2 Contaminated Land Ground Investigation and the production of a Generic Quantitative Risk Assessment (GQRA) to assess the ground current conditions and the extent of any contamination present within the site; and to facilitate ground gas monitoring and confirm the ground gas regime.

**10.2.20** Any areas of identified contamination will need to be identified and then appropriately remediated or mitigated. This could be in the form of

removal off site, treatment, or mitigation employed such as the placement of a clean soil cover layer to form a suitable barrier in accordance with BRE Report 465 ('Cover systems for land regeneration – thickness of cover systems for contaminated land')<sup>11</sup>. This would need to be completed under a Remediation Method Statement and verified in a Validation Report. The Validation Report will be required to ascertain that the remediation measures (if required) have been undertaken satisfactorily and that the site no longer represents a risk when the Proposed Development is completed.

This will need to be conditioned at the reserve matters stage.

#### **10.2.21** Air Quality

The applicant has submitted an Environmental Statement: Vol 1, Chapter 9: Air Quality report which discusses likely impacts to the Bishop Stortford AQMA and Ecological sites (ancient woodland). Mitigation has been discussed including pollutant management during construction, travel plan, barriers to protect woodland and monetary contributions for transport related measures to reduce emissions. The report is broadly acceptable, however, East Herts District Council must be consulted on the air quality proposals affecting their AQMA in Bishop Stortford.

The following broad mitigations has been proposed by the applicant:

- The Dust Management Plan, to be incorporated into the wider CEMP, which will include measures to control other emissions.
- Prepare a comprehensive Travel Plan- The Travel Plan will identify sustainable modes of travel to/ from the Proposed Development from the surrounding areas, including Bishop's Stortford, and will include measures such as walking and cycling and links with existing bus services. Additionally, shuttle bus services will be provided between the Proposed Development and the Stansted Airport Interchange. The Travel Plan will also consider the transition to electric vehicles and suitable electric charging points will be provided as part of the Proposed Development. A survey of staff locations and method of travel to work will be carried out once the Proposed Development is fully operational to identify whether the numbers of vehicles for staff travel as a percentage of the overall staff movement are similar to those predicted. Where necessary, a package of sustainable transport measures would be subsequently introduced to encourage sustainable modes of travel for staff as outlined in the Travel Plan.
- The monetary cost derived by the damage cost calculations (detailed in Paragraph 9.86 in the ES Air Quality Chapter) will also contribute to sustainable transport related mitigation measures which would be included within the Travel Plan and the use of that funding would be agreed and monitored through the travel plan.
- Build a solid fence with further vegetated barrier (further information provided in ES Volume 1, Chapter 4: The Proposed



Development), aimed at mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice) as well as restorative management.

**10.2.22** These proposals are welcome and may be secured by condition as more specific details are known about the development.

**10.2.23** The applicant is relying on long-term air quality improvements due to the increased uptake of electric vehicles across the UK, therefore, in support of this, further details for supplying electric vehicle charge points across the site needs to be supplied as more specific details are known about the occupiers of the development. The travel plan proposes that 20% of parking bays will have EV charging points and this service would recommend that an additional 40% will have capacity for future conversion. The travel plan also proposes a target to achieve a 10% decrease in single occupancy vehicle trips for employees as well as provision for motorised and non-motorised cycles including shower facilities etc (note that these should be covered spaces). Energy saving and renewable technologies are being considered for this development (Sustainability Strategy) in the interests of carbon saving and energy efficiency and are welcomed as they will contribute to the overall reduction in pollutants.

### **10.3 UDC Landscape Officer/Arborist – No Objection**

**10.3.1** The extensive perimeter planting undertaken as part of the landscape masterplan for the first phase of the airport development has successfully matured proving an effective framework which would significantly ameliorate the visual impact the proposed development on the wider landscape.

**10.3.2** The Landscape Visual Impact Assessment (LVIA) submitted by the applicant has been undertaken in accordance with the relevant guidance. It has been identified that there would be significant effects of the development, but these would be limited to localised visual receptors from Burton End, from the public rights of way around Birchanger and between Burton End and Tye Green, and from Bury Lodge.

**10.3.3** The illustrative landscaping proposals include strengthening of screen planting to reduce the visual impact of the development on the setting of Bury Lodge listed buildings.

**10.3.4** The visual impact of the proposed units on the wider landscape can be ameliorated by the application of an appropriate palette of colours and finishes to claddings, which would be dealt with at the reserved matters stage if this current application is approved.

- 10.3.5** The submission includes a proposed height parameters plan showing the maximum building heights within identified zones in order to reduce the visual impact on the surrounding landscape and Bury Lodge.
- 10.3.6** The proposed widening of Round Coppice Road will impact on its character. The intended erection of a solid 2m high fence to protect the adjacent ancient woodland, Stocking Wood, from traffic pollution would significantly diminish the appreciation of the woodland from the road. The protection from traffic fumes afforded to the woodland flora by the fencing would be likely beneficial, but limited. Whilst the appearance of the fencing could be softened with planting, on balance, the introduction of such fencing would be visually detrimental.
- 10.3.7** The illustrative layout shows a number of existing trees to be removed. The total number of trees shown to be removed is 44 individual and 23 groups of trees. 4 veteran oak trees are shown to be retained. Hedgerows within the main body of the site are shown to be removed. The trees and hedges proposed to be removed would not have a significant impact on the wider landscape.
- 10.3.8** The illustrative landscaping plan shows some hundreds of individual trees to be planted across the site, and additionally a relatively small area of new native species woodland is proposed to strengthen the existing perimeter woodland on the northern boundary. New hedge planting is also shown to be provided. The indicated tree and hedgerow planting would compensate for the trees and hedges removed to accommodate the development.
- 10.3.9** Any approval should be conditional, requiring inter alia the submission for approval of a detailed planting scheme, and protective measures for vegetation to be retained.
- 10.3.10** On balance I don't have an objection to the proposed development.

**10.4 ECC Place Services (Conservation and Heritage) – Neutral**

**10.4.1** The application site is within the boundary of Stansted Airport, it is 61.86 hectares in extent and is largely flat. The airport abuts the southern, eastern, and western boundary of the site, the western boundary is formed by Bury Lodge Lane and encompasses the Grade II listed building, Bury Lodge Hotel (list entry number: 1238549). Also, adjacent to Bury Lodge Hotel is the Grade II listed building, Barns to east of Bury Lodge Hotel (list entry number: 1238489). To north of the site is open land leading to the settlement of Burton End. The Designated Heritage Assets within Burton End and as identified within the Heritage Statement for consideration are:

- The Ash Inn, Grade II listed (list entry number: 1274126),
- Avondale Cottage and Burton Cottage, Grade II listed (list entry number: 1238486),

- North View and The Cottage, Grade II listed (list entry number: 1238487),
- The Thatch, Grade II listed (list entry number: 1238485),
- Rennisons, The Haven and Vernons, Grade II listed (list entry number: 1221423),
- Evergreen and Fieldside, Grade II listed (list entry number: 1221424),
- Fourwinds, Grade II listed (list entry number: 1221425),
- Warmans, Grade II listed (list entry number: 1238479),
- Southview and The Nook, Grade II listed (list entry number: 1238480),
- Ryders, Grade II listed (list entry number: 1238482),
- Ryders Farmhouse, Grade II listed (list entry number: 1238483), and
- Rands, Grade II listed (list entry number: 1238484).

**10.4.2** It is considered that, in line with Historic England's The Setting of Heritage Assets (GPA Note 3), the proposals would result in several adverse impacts to the settings of several designated heritage assets. Whilst the existing site of Stansted Airport is not considered to make a positive contribution to the setting of the heritage assets, the existing utilitarian nature and low heights of the present buildings and the large open spaces have a neutral effect within the settings of many of the heritage assets. As established by the 'Proposed Height Parameters Plan', the proposed development would result in the erection of buildings of substantial scale and massing, in particular Zone 1 to the north, visually impacting the wider setting of several designated heritage assets.

**10.4.3** Regarding the statutory listed buildings of The Ash Inn, Warmans and Southview & The Nook, the proposed development would visually be intrusive as evident within Viewpoint 4. Given the separation between the heritage assets and the site, I consider this resultant harm to be less than substantial and at the low end of the scale. The proposed development, through its scale and massing, would detract from the wider rural setting and character of the heritage assets. Whilst it is understood that this is an Outline Application with details of scale and appearance reserved, heights should be minimised where possible and robust mitigation measures employed within any details following application.

**10.4.4** To the north of the site is a cluster of designated heritage assets, this being North View & The Cottage, Avondale Cottage & Burton Cottage, The Thatch, Rennisons, The Haven & Vernons, Evergreen & Fieldside and Fourwinds. The existing site is not considered to positively contribute to the significance of the above heritage assets however the proposed development and its visual impact would fundamentally detract from the wider setting and rural character of the heritage assets, Zone One containing the tallest buildings, as evident from Viewpoint 2 and 3. The proposed development is therefore considered to result in less than substantial harm to the setting of these heritage assets, this harm being at the low end of the scale.

- 10.4.5** The statutory listed buildings of Bury Lodge Hotel and Barns to east of Bury Lodge Hotel are immediately adjacent to the site and are those most sensitive to change within their setting. The setting of the heritage assets has already been much eroded, the rural context of the listed buildings being adversely impacted by existing development, the wider setting and the rural character of the heritage assets has been much reduced to its more immediate environs. The proposals will result in additional harm to the setting of the designated heritage assets, the visual impact and enveloping nature of the proposed development would detract from their setting and the rural character of the site. This harm is held to be less than substantial and at the middle of the spectrum. I do not consider there to be any harm to the significance of Ryders, Ryders Farmhouse and Rands.
- 10.4.6** The proposals are considered to result in less than substantial harm to several designated heritage assets, Paragraph 202 of the NPPF (2021) being relevant and contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This harm should be weighed against the public benefits of the proposal. The identification and the level of harm is in accordance with the applicant's heritage assessment.
- 10.5** **ECC Place Services (Ecology) – No Objection**
- 10.5.1** No objection subject to securing biodiversity mitigation and enhancement measures
- 10.5.2** Summary  
We have reviewed the documents supplied by the applicant including the Ecology Response Report (RSK Biocensus, dated 17 June 2022), Bat Survey Report (RSK Biocensus, June 2022) and Draft Biodiversity Impact Statement (RSK Biocensus, June 2022) which were submitted in relation to our previous comments, dated 25th May 2022. The submitted documents relate to the likely impacts of development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures.
- 10.5.3** We are now satisfied that there is sufficient ecological information available for determination of this application.
- 10.5.4** This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 10.5.5** The mitigation measures identified in the Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1, subsequent Volume 2 Annexes (RSK) and Bat Survey Report (RSK Biocensus, June 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance

protected and Priority species particularly bats, nesting birds, reptiles and Badger.

**10.5.6** It's noted that the proposed works will result in the loss of a bat roost and temporary disturbance to Licences from Natural England will be required to undertake these works. A copy of the mitigation licence, or method statement for a registered site under a bat Class licence will need to be submitted to the LPA prior to commencement.

**10.5.7** A Construction and Environmental Management Plan for Biodiversity (CEMP: Biodiversity) should be produced to outline how ecological receptors including retained habitats and Priority habitats as well as bats, nesting birds, reptiles and will be protected during the construction period. Given the site lies within an Amber Risk Zone for the Great Crested Newt (GCN) District Level Licensing (GCN Risk Zones (Essex) | Natural England Open Data Geoportal (arcgis.com)) and suitable habitats are present in close proximity to the site, it is considered possible that GCN will be present. However, given the absence of GCN within ponds on site, through eDNA surveys it may be possible to manage potential impacts upon GCN using a precautionary method statement for GCN for the construction stage, including storage of materials. This precautionary method statement should be included within the CEMP: Biodiversity which should be secured by a condition of any consent, concurrent with reserved matters.

**10.5.8** In line with the report recommendations, we recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats, especially around the retained and newly created woodland and hedgerows (particularly to the north and west of site). This lighting scheme should be secured by a condition of any consent, concurrent with reserved matters.

**10.5.9** This must follow the Guidance Note 8 Bats and artificial lighting (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

Light levels should be as low as possible as required to fulfil the lighting need. Warm-White lights should be used preferably at 2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.

**10.5.10** If light columns are required, they should be as short as possible as light at a low level reduces the likelihood of any ecological impact. However, the use of cowls, hoods, reflector skirts or shields could also be used to prevent horizontal spill. Movement sensors and timers could be used to minimise the 'lit time'.

- 10.5.11** The Draft Biodiversity Impact Statement (RSK Biocensus, June 2022) has shown that there will be a net gain or no net loss in relation to Priority habitats, however, overall there will be a net loss in Biodiversity Units. A Final Biodiversity Net Gain Design Stage Report should be secured by a condition of any consent, concurrent with reserved matters, to show how a net gain will be achieved either on site or by the use of off-site compensation.
- 10.5.12** A draft 15 Year Soft Landscape Maintenance and Management Plan (RSK, January 2022) detailing the proposed management of retained and proposed habitats was submitted with this application. The length of time required for on site management of habitats will be determined by the Defra Biodiversity Metric 3.1 (or any successor) and so this may need to be increased. This is required to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021. Chapter 11: Ecology and Biodiversity of the Environmental Statement:
- 10.5.13** Volume 1 also mentions that bird and bat boxes can be incorporated into the proposals although details of how many and where they could be installed has not been provided. A Landscape and Ecological Management Plan (LEMP), to include details such as bird and bat box provision, should be secured by a condition and submitted concurrent with Reserved Matters stage if planning permission is granted.
- 10.5.14** This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.
- 10.5.15** We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

**10.6 Crime Prevention Officer – Neutral**

- 10.6.1** UDC Local Plan Policy GEN2 - Design (d) states" It helps reduce the potential for crime"

We note that this is an outline planning application therefore understand that the finer detail for a full response will not be available at this time, and that through consultation the current content may be subject to some changes in the future as the project evolves. The proposed regeneration is a significant development adjacent to Stansted Airport which has site specific safety and security requirements not only for the airport site but also for those locations that border it. We would welcome early and continued engagement with the developer to mitigate safety and security risks to this development and its neighbours, during construction through to completion and beyond.

- 10.6.2** Application documents such as the Design and Access Statement, the Design Code document, Lighting Strategy and Demolition Plan provide an abundance of information about the planned development but also produce a number of questions which would be better answered by continued consultation throughout the many phases of this development to ensure that crime is designed out rather resulting in the need to retrofit security measure post development. It is imperative to consider crime as a material consideration, the perception of crime and the fear of crime can be an influential factor in determining the synergy and ongoing sustainability of the wider community.
- 10.6.3** Essex Police would recommend developers consider the foreseeability of crime and maximise on the opportunity to design such issues out, as to prevent the need for bespoke situational crime prevention measures in the future. Essex Police recommend that crime is deemed a material consideration throughout all aspects of the design and provide a 'Crime Risk Assessment' which will identify the potential risks. This will ensure that the scheme design and specification create a healthy, safe, and comfortable environment.
- 10.6.4** We would like to see the 'Fire Strategy' expanded to include the other 'Blue Light' emergency services as these would also be part of any incident both on the airport or on sites immediately adjacent to it. We note that reference is made within the application comment from 'NAT' drawing attention to the need to ensure that the communications with aircraft are not compromised by the construction works or operation of the industrial site, the same assurance will also be needed by the emergency services operating at the airport with regards to their local communications.
- 10.6.5** Constructing well designed places, buildings and communities that promote both sustainable communities and health and wellbeing is an objective that the Essex Police Designing out Crime Office widely supports; however, it is imperative that they must also be safe, secure, and accessible. With such a complex development containing many different potential risk types bordering a significant infrastructure site we would strongly recommend that the Designing out Crime Team, the Airport Policing Command and Road Policing Unit are given the opportunity to partake in any stakeholder consultations. The Roads Policing team who would wish for all provisions by the developer to cover the safety of all road users, and vulnerable road user groups such as cyclists and pedestrians, especially where the focus is now very much moving away from personal vehicles. Consideration is requested by developers to use the "Safe system approach" when designing local Roads. This will take into consideration the various Road user groups who wish to access them. It is essential that emergency vehicles can gain rapid access to any incident occurring within the whole development and surrounding neighbourhoods.

- 10.6.6** Having a strong working relationship between the developer and Essex Police will mitigate the crime risk to the development, promote a safe and cohesive environment for neighbouring residents, businesses, and infrastructure.
- 10.6.7** We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy and achieve a Secured by Design Commercial award.
- 10.6.8** An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring that risk commensurate security is built into each property and the development as a whole. Such an award provides confidence to tenants, employees, visitors and neighbours that risk commensurate security measures have been incorporated into the design thereby positively impacting on their health and wellbeing.
- 10.6.9** Further request for conditions relating to construction works not impeding on emergency service operations, liaising with Essex Police on detailed layout to ensure discussions on Operational Policing, road infrastructure, details of CCTV and security plan, design to be to Secure By Design Principles and ensure airwaves are unaffected.
- 10.7** **ECC Specialist Archaeological Advice – No Objection subject to Conditions**
- 10.7.1** An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application.
- 10.7.2** The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.
- 10.7.3** The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II construction, however, a number of the archaeological sites already



excavated have shown a high level of preservation beneath elements of the WWII airfield. This office would largely agree with the Receptors and Receptor sensitivity identified in 12.48, however, considering the extent of Roman burials and other occupation in the adjacent long term car parks we would recommend that the Roman remains are also identified as of high potential.

**10.7.4** Within the mitigation section (12.60-12.66) this office would support the proposal for evaluation trenches on all areas of development, to include those within the present built up area, and the 2 high voltage underground cables and the new buildings on the present fields to the north, followed by open area excavation, with a programme of building recording on those structures which warrant recording prior to demolition. We would not recommend a programme of watching brief on any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

**10.7.5** The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

## **10.8 Essex Fire and Rescue – No Objections**

**10.8.1** Access for Fire Service purposes is considered to be in accordance with the Essex Act 1987 Section 13 and is acceptable provided it is in accordance with Building Regulations Part B Volume 2 requirement B5. This would be further considered at Building Regulations stage.

**10.8.2** The scheme would need to accord with Building Regulations and the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority would be consulted thereafter as part of that process.

**10.8.3** Additional water supplies for firefighting maybe required thereby contact should be may by the applicant to the Water Technical Officer at HQ.

**10.8.4** Sprinkler System, the installation of Automatic Water Suppression System is advised to be included in the scheme.

**10.8.5 UDC Health and Waste – No comments received**

**10.9 Anglian Water – No comments received**

**10.10 Thames Water – No objection subject to conditions**  
replaced comments 22.03.2022

**10.10.1** Waste Comments - Thames Water are currently working with the developer of application UTT/22/0434/OP to identify and deliver the off-site FOUL WATER infrastructure needs to serve the development. *Thames Water have identified that there is insufficient capacity within*

*the foul water network to serve this development proposal and upgrades to the waste water network are required. Works are ongoing to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure.*

- 10.10.2** “There shall be no occupation until confirmation has been provided that either:- 1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-  
2. A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.”

Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. "Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

**10.11 National Grid Electricity – No Response received**

**10.12 NHS - No Response received**

**10.13 ECC Minerals & Waste Team – No Comment**

**10.13.1** The Mineral Planning Authority has no comment to make in relation to this application as the area of the proposed development site located within the Essex sand and gravel Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 5ha.

**10. Cadent Gas – No Objection**

**10.14.1** Medium pipe runs through parts of the site.

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

- 10.14.2** If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions).
- 10.14.3** Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.
- 10.15** **Gigacler Ltd – No objections**
- 10.15.1** Conditions and info attached (none attached just plans)
- 10.16** **UK Power Network – Informative**
- 10.16.1** Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.
- 10.17** **Open Space Society – No Response received**
- 10.18** **East Herts DC – East Herts EHO**
- 10.18.1** I have reviewed this application from an air quality perspective from an East Herts district level only, and have the following comments to make;
- The current proposal results in an adverse impact on the Bishops Stortford AQMA therefore in order to provide appropriate mitigation against these impacts I would recommend a condition.
- 10.19** **Braintree DC – No Response received**
- 10.20** **Bishop Stortford Town Council – No Response received**
- 10.21** **ECC Growth and Development Team – Mitigation Required**
- 10.21.1** ECC is a key infrastructure and service provider and is responsible for delivering and commissioning a wide range of strategic and local infrastructure requirements and public services to support and shape inclusive and healthy communities. ECC's role covers a wide range of statutory services including, but not limited to, highways and transportation, education, early years and childcare, minerals, waste, surface water management, passenger transport, adult social care, and public health. We also advise on, and have a material interest in, a number of other related place-making matters to assist in the determination of planning applications.
- 10.21.2** The Growth and Development team at ECC is responsible for coordinating single corporate responses for major development

schemes and Nationally Significant Infrastructure Projects. We aim to work with Districts and to ensure that the County Council's interests and responsibilities to deliver quality and sufficient infrastructure in the right places and at the right time are effectively communicated, and to support good place-making and place-keeping for existing and future communities

**10.21.3** ECC has reviewed this outline proposal and accompanying documents and sets out here comments and recommendations on the proposed development at this site. Please note that transport comments are provided separately. ECC trusts that the following comments will be considered in the spirit within which they are provided, to assist with and to be taken into account, in the determination of this planning application.

**10.21.4** **Summary**  
ECC is a key infrastructure and service provider with statutory responsibilities to ensure that the right infrastructure is delivered in the right place at the right time to support new and existing communities. ECC has carefully considered the information submitted in support of this planning application. ECC would need to raise concerns about potential impact on local residents, if this development is unable to provide the necessary infrastructure, services and facilities to ensure effective mitigation.

**10.21.5** **Highways and Transportation**  
Highways to separately responded

**10.21.6** **Education and Early Years and Childcare**  
There is ongoing consideration of the proposed nursery and comments will be forwarded as soon as possible. ECC welcomes the inclusion of childcare facilities to support people working at the site, as well as residents in the area who require access to local childcare.

**10.21.7** **Economic Growth and Skills**  
Quantum and mix of units  
The Planning Statement and Socio-Economics chapter of the Environmental Statement finds that:

- Only one direct job would be created per 87 sq. m of development
- Average GVA per job would be below the Uttlesford District average, which is already reported as being 21% below the UK average – a gap that is widening
- Only 7 to 9% of the jobs would be created in higher productivity sectors (use classes B2 and E(g)) – notwithstanding evidence presented about wage levels of B8 uses

**10.21.8** These documents do not consider levels of out-commuting locally (only self-containment and in-commuting); however, the 2011 census indicates that almost one-third of economically active residents in Uttlesford commuted outside of the district for work.

- 10.21.9** We urge the Local Planning Authority to place limits on the quantum of B8 uses that could be delivered on site, to improve the contribution of this strategic site to the local economy – and, subsequently, outcomes for Essex residents and businesses.
- 10.21.10** Uttlesford District is already specialised in construction and retrofit (Location Quotient of the district 1.17 compared to Great Britain) and the site aligns well with occupier needs:
- Construction and retrofit - As the industry shifts towards Modern Methods of Construction (MMC), large factories may be required for off-site assembly. Essex already has three such facilities, but more will be required to meet projected growth. Given the land-hungry nature of MMC factories, they may be more easily accommodated as part of larger employment areas such as Northside Stansted.
- 10.21.11** The scale and location of the site mean that it could also support new specialisms. Uttlesford District Council's Economic Development Strategy (2018) identifies life sciences, research and innovation, the rural and visitor economies as key sectors. ECC's interim Sector Development Strategy (2021) identifies five key sectors: advanced manufacturing and engineering, construction and retrofit, clean energy, digital, and life sciences (including MedTech and CareTech).
- 10.21.12** We note that the site aligns well with existing skills and innovation assets and occupier needs in the following two sectors:
- Advanced manufacturing and engineering - The advanced manufacturing and engineering sector needs a wide variety of sizes and types of business accommodation for component manufacture and assembly operations, but most will benefit from sites with good access to the strategic road network and public transport interchanges and adequate utilities capacity. Around 45% of Uttlesford residents are highly qualified employees (NVQ Level 4+), compared to around 35% across the South East LEP area and 40% across the UK.
  - Research facilities will also be needed for the design, testing, and commissioning of new products and smaller-scale production processes. Teaching spaces and conference facilities can be important forums for knowledge-sharing and collaboration with partners. Anglia Ruskin University in Chelmsford provides relevant skills and innovation infrastructure, and clusters of high-tech companies are already established at EOS in Braintree and MODUS in Harlow. Innovation Districts may also emerge within existing employment areas as their uses continue to diversify.
  - Life sciences (including MedTech and CareTech) - Businesses that design, test, and commission new products within the field of life sciences typically require controlled environments for different types of laboratories such as wet labs, microbiological / clinical labs, and in vivo labs. They require a highly qualified workforce, and teaching spaces and

conference facilities can be important forums for knowledge-sharing and collaboration with partners.

- As well as a large workforce at Chesterford Research Park in Uttlesford, skills and innovation assets relevant to this sector include the Cell & Gene Therapy Catapult Vaccines Manufacturing Centre in Braintree and Arise Innovation Hub in Harlow. The UK Health Security Agency headquarters is also planned to be located in Harlow. Again, Innovation Districts may emerge within existing employment areas as their uses continue to diversify.

**10.21.13** The scale and location of the site also offers opportunities to increase innovation and productivity amongst SME's. The minimum size of unit proposed is 2,000 sq. m. We would encourage the delivery of affordable workspace and/or an enterprise centre offering easy-in-easy-out terms to support start-ups. We would also encourage the delivery of Grow-on Space (150 to 500 sq. m) for businesses that have outgrown their initial accommodation.

**10.21.14** We welcome proposals to provide amenities for employees on-site; however, we were unable to identify where, how and when these might be delivered.

**10.21.15** **Placemaking**

According to the current land use plan, some workers will be much further from usable green spaces than others. We welcome the commitment to “creating attractive pedestrian routes around the development to enable occupants to explore and enjoy the landscaped setting and the new community woodland area”; however, we would also encourage more green spaces within the centre of the masterplan area. Seek to ensure that the area facilitates and promotes walking and cycling around the development, rather than the use of the use of the private car.

**10.21.16** Similarly, we welcome proposals to provide amenities for employees on-site; however, we were unable to confirm whether these would be easily accessible by pedestrian and cycle-friendly routes.

**10.21.17** We welcome the commitment to “an open and permeable frontage to the estate roads which serve the development”, as shown in the artist's impressions; however, some areas of the masterplan could be revisited to review location of surface car parking in relation to buildings and the carriageway.

**10.21.18** We welcome the commitment to creating adaptable spaces by “to construct buildings that can be used by at least two kinds of occupier without significant structural alterations.”

**10.21.19** Employment areas should be legible to those who are unfamiliar with the area, through measures such as character areas, landmark buildings,

vistas and signage. The Essex Design Quality Review Panel should be used at an early stage in the design process.

**10.21.20** **Futureproofed broadband connectivity**

There is no reference to internet connectivity in the Planning or Design and Access Statements. As per the Essex Design Guide, futureproofed internet access should be provided for all homes and businesses, ideally Fibre to the Premises (FTTP). Plans for such an approach should be submitted for review by Local Planning Authority.

**10.21.21** **Skills and innovation**

The Planning Statement refers to a total figure of 5,000 people employed through development (Economic needs and market commentary refers to 1420 directly supported construction jobs) and operation (sustainability strategy refers to 2010 direct new jobs in operation, as part of 2650 net additional local jobs). These are expected to fall under 'Transport and storage employment' and 'Scientific R&D employment'—any more detail on what this employment is anticipated to look like would be welcome.

**10.21.22** The references above to key sectors (Construction, MMC, Advanced Manufacturing and Engineering, Life Sciences, etc) should be considered as part of the approach to maximising future skills and employment benefits. Further consideration should be given to ensuring jobs in these sectors are available to local residents – particularly for construction jobs which are, as noted in the Socio-Economics chapter, likely to be highly mobile.

**10.21.23** It is also good to see reference to apprenticeships and opportunities for individuals returning to work as part of wider skills considerations.

**10.21.24** We would encourage the delivery of an innovation centre providing business and innovation support (including to facilitate import and export trade) and physical space for collaboration. Consideration should be given to how formal / informal business and academic networks can be nurtured locally.

**10.21.25** Further, consideration should be given to Stansted College and whether there may be opportunities to link in with emerging skill needs from Stansted Northside. Stansted College may be able to expand its offer to ensure that courses support local employment needs. ECC are separately aware that Stansted College is potentially looking at investment/expansion and would hope that this could embrace more of the digital skills required for the changing logistics sector, if this development is to be so logistics focussed.

**10.21.26** **Aviation**

In regard to aviation, the site is not proposing aviation related activity and was considered surplus to MAG's needs. However, given the opportunities that the site may provide (e.g., logistics), there may be

skills and training linkages that may be facilitated within Stansted College

**10.21.27** **Phasing and delivery**

We welcome the proposal to speculatively deliver smaller units, and the commitment to deliver these to be net zero carbon including embodied energy. However, given the scale of the site, we would encourage consideration of a district-wide energy system.

**10.21.28** We did not see any evidence of cross-subsidy between more and less viable uses or viability assessment to identify areas where public sector intervention may be required. For example, we note that the higher productivity uses (use classes B2 and E(g)) are assumed to be delivered towards the end of the development period, presumably by a third party. We would encourage consideration of how this could be delivered in an earlier phase, and whether it would require public sector intervention to achieve this.

**10.21.29** We welcome the commitment to “A dedicated team at the estate operates 24 hours, 7 days a week, specifically charged with maintenance, landscaping and security of the estate”, but would encourage more detail on how this will be funded in the long term.

**10.21.30** **Transport and Access**

There are concerns the scale of growth proposed may have a significant impact on local and strategic route networks. There is also a need to ensure that active travel is facilitated, as well as improvements to the bus network accessing the site, and also connections to the airport, to ensure that rail can be utilised for commuting rather than the private car.

**10.21.31** Further, the cumulative impact of the development on the network needs to be considered. There are other roading within the vicinity of the site that would require attention. There would also be a need to ensure that the bus network links with airport to promote the use of the airport as a multi-modal transport hub, but also ensure that workers have the opportunity for public transport connections, and a frequent shuttle service from the airport to the employment site to facilitate such use. There are also aspirations to improve the cycle network and active travel within the area, so I would hope that this development can link in with that.

**10.21.32** **Digital Connectivity**

In line with the objectives stated in the Government’s Future Telecoms Infrastructure Review 2018, all new developments should include provision of future proofed internet access, ideally Fibre to the Premises. In regard to 5G connectivity, reference should be made to the Essex Design Guides Planning for 5G guidance.

**10.21.33** **Minerals and Waste Planning**



### **Minerals Matters**

#### Safeguarding Mineral Resources

Policy S8 of the MLP requires that a non-mineral proposal located within an MSA which exceeds defined thresholds must be supported by a Minerals Resource Assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance. This will ascertain whether there is an opportunity for the prior extraction of that mineral to avoid the sterilisation of the resource, as required by the National Planning Policy Framework (Paragraph 210). The NPPF requires policies that encourage the prior extraction of mineral where it is practical and environmentally feasible.

**10.21.34** The MLP can be viewed on the County Council's website via the following link:  
<https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan>

**10.21.35** The area of land associated with the proposed development does not exceed the 5ha threshold upon which local resource safeguarding provisions are applied for this mineral. Therefore, a Minerals Resource Assessment (MRA) would not be required as part of a planning application on this site.

**10.21.36** **Mineral Infrastructure Matters**

With regard to Mineral Consultation Areas, Policy S8 of the MLP seeks to ensure that existing and allocated mineral sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy S8 of the MLP defines Mineral Consultation Areas as extending up to 250m from the boundary of an infrastructure site or allocation for the same.

**10.21.37** The application site does not pass through a Mineral Consultation Area (MCA) and therefore, a Mineral Infrastructure Impact Assessment (MIIA) would not be required as part of a planning application on this site.

**10.21.38** **Mineral Supply Audit**

The MWPA requests a Mineral Supply Audit to aid in demonstrating compliance with the notion of sustainable development, circular economy principles and the application of Policy S4 of the adopted Minerals Local Plan 2014 (MLP) which requires, inter-alia, 'The application of procurement policies which promote sustainable design and construction in proposed development'.

**10.21.39** The MLP further notes that 'All developers have the potential to reduce over-ordering of construction materials and encourage more sustainable construction practices through their own procurement practices.' A Minerals Supply Audit would feed into, or be considered alongside, a Site Waste Management Plan which accords with the MLP principle of 'Encouraging the re-use and recycling of construction, demolition and

excavation wastes on-site' (MLP, Para 3.41) to provide a materials balance for major developments.

**10.21.40** There is currently no set scope for a Mineral Supply Audit, but the framework in Appendix A has been submitted to the authority previously and could be modified to suit the project in question. Some approaches have included the commitment to sustainable procurement practices as well as demonstrating how recycling and re-use targets will contribute to a reduction in primary aggregate demand.

**10.21.41** **Waste Matters**  
**Safeguarding Waste Infrastructure**

Policy 2 of the WLP seeks to ensure that existing and allocated waste sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy 2 defines Waste Consultation Areas as extending up to 250m from the boundary of existing or allocated waste infrastructure, unless they are Water Recycling Centres, where the distance increases to 400m.

**10.21.42** The WLP can be viewed on the County Council's website via the following link:  
<https://www.essex.gov.uk/minerals-waste-planning-policy/waste-local-plan>

The application site does not pass through a Waste Consultation Area (WCA) and therefore, a Waste Infrastructure Impact Assessment (WIIA) is not required as part of the planning application.

**10.21.43** **Site Waste Management Plan**

Paragraph 8 of the NPPF recognises the importance of "using natural resources prudently and minimising waste" to ensure the protection and enhancement of the natural environment and to achieve sustainable development. It also reiterates the need to mitigate and adapt to climate change and move towards a low carbon economy. An efficient and effective circular economy is important to achieving these objectives

**10.21.44** Policy S4 of the Minerals Local Plan (2014) advocates reducing the use of mineral resources through reusing and recycling minerals generated as a result of development/ redevelopment. Not only does this reduce the need for mineral extraction, it also reduces the amount sent to landfill. Clause 4 specifically requires:

"The maximum possible recovery of minerals from construction, demolition and excavation wastes produced at development or redevelopment sites. This will be promoted by on-site re-use/ recycling, or if not environmentally acceptable to do so, through re-use/ recycling at other nearby aggregate recycling facilities in proximity to the site."

**10.21.45** It is vitally important that the best use is made of available resources. This is clearly set out in the NPPF and relevant development plan

documents. We would therefore recommend that, in lieu of these issues being addressed prior to a decision, conditions are attached to require the applicant to prepare an appropriately detailed waste management strategy through a Site Waste Management Plan.

- 10.21.46** A SWMP would be expected to:
- present a site wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation,
  - establish strategic forecasts in relation to expected waste arisings for construction,
  - include waste reduction/recycling/diversion targets, and monitor against these,
  - advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area.

**10.21.47** **Energy and Low Carbon**

We welcome the proposals for an all-electric space heating and power system for office areas in buildings as well as the reduction of embodied carbon and emissions throughout the construction phase. Further details on the proposed mitigation measures are welcomed in the upcoming energy strategy and details on the proposed operational and lifetime emissions of the development should also be included. Details on the heating and power proposals for non-office areas should also be included, and the minimisation of GHG emissions from those elements of the development should also be explained.

- 10.21.48** We would strongly recommend the inclusion of battery storage to accompany the proposed onsite renewable energy generation and would highlight the opportunity to maximise renewable energy generation onsite to exceed the minimum proposed 25% of energy demand. The recently adopted ECAC recommendations included “all new build houses, industrial and commercial units to have solar panels installed immediately”, “all new homes and all new commercial buildings granted planning permissions to be carbon zero by 2025 and carbon positive by 2030”, and “all waste heat from industrial and commercial use to be captured and reused (where local demands exists) by 2035.”. Further details on how the proposals meet these standards should also be included.

**10.21.49** **Environment and Green Infrastructure**

Having reviewed the Design and Access Statement, Biodiversity Validation Check, the Landscape Maintenance and Management Plan and the associated documents which accompanied the planning application, we do not object to the granting of UTT/22/0434/OP, however we would advise the following recommendations are considered to improve the GI network and help achieve net environmental gains:

- 10.21.50** **Integration of GI into Building and Amenity Space Design**  
ECCs GI team recommends further exploration and consideration of GI in the fabric of building design, for instance via wildlife bricks, green roofs and walls, habitat creation invertebrate and dual-purpose street furniture/seating (i.e., a bench including a planter). The design of the street furniture and bin stores can contribute to the landscape character, reduce clutter of an area or street and act as a green corridor/link to the wider landscape scale GI network.
- 10.21.51** **Ancient Woodland**  
As outlined in the Biodiversity Validation Checklist, the site includes the ancient semi-natural woodland of Stocking Wood, with the ancient woodland of Round Coppice Wood located across the road. Paragraph 180(d) of the National Planning Policy Framework (NPPF) states that “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”. Whilst ECCs GI team recognises that significant development and urban features already surround these sites, it is recommended the appropriate landscape buffers, safeguards and mitigation measures are applied.
- 10.21.52** **Management and Maintenance Plan**  
ECCs GI team supports the ‘15 Year Soft Landscape Maintenance and Management Plan’ submitted for application UTT/22/0434/OP and would expect yearly logs of the maintenance carried out in accordance with the Maintenance Plan. This information must be available for inspection upon a request by the Local Planning Authority.
- 10.21.53** This is to ensure that GI is maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure the high-quality and multi-functional benefits of GI assets.
- 10.21.54** **Construction Environmental Management Plan (CEMP)**  
The submitted ‘15 Year Soft Landscape Maintenance and Management Plan’ does not include the construction period for application UTT/22/0434/OP. No development should take place until there has been submitted to and approved, in writing, by the Local Planning Authority a Construction Environmental Management Plan (CEMP). Ideally, strategic elements of the GI framework are brought forward in phase one of the development, to create a landscape structure or evidence is shown that substantive GI is secured as early as possible in initial phases of delivery to allow early establishment. Therefore, a Construction Environmental Management Plan (CEMP) will be required to set out how retained GI, such as trees, hedges and vegetation, as well as any nature designated sites (e.g., SSSI’s etc.) will be protected during construction.

**10.21.55** The phased implementation of new GI of the development construction will allow for the GI to mature and it will provide further benefit of reducing/buffering the aesthetic impact from the construction work

**10.21.56** **Building with Nature – GI Standards**

Moving forward, it is recommended that the development proposal applies the Building with Nature standards and achieves an accreditation to highlight what ‘good’ looks like at each stage of the green infrastructure lifecycle and strengthen the development and demonstrate the development goes beyond the statutory minima, to create places that really deliver for people and wildlife. The Building with Nature Standards has been developed by practitioners and policy makers, academic experts and end-users, and has been tried and tested in multiple schemes from Cornwall to Scotland and is endorsed by Natural England, who is reviewing the current national green infrastructure standards.

For more information, please visit here:  
<https://www.buildingwithnature.org.uk/about>.

**10.21.57** **Conclusion**

I hope the above is of assistance – if you require further information on the contents of this single response, please contact Lois Bowser. If a decision is made on the application, any delegated/committee report, decision notice and Section 106 agreement should be sent through to ECC upon publication.

**10.22** **UDC Planning Policy Team – No objection subject to conditions/advice**

**10.22.1** Adopted Local Plan 2005

The site is within the area defined as Stansted Airport.

1.10 There are sub regional policies, programmes and strategies for areas that include Uttlesford, such as:

Stansted Airport Employment and Training Strategy

Stansted Airport Sustainable Development Plan 2015, part of which is a surface access strategy.

Where development will take place includes:

2.2.2 A120 corridor.

2.2.5 Stansted Airport. The Plan sets out limits on the physical extent of the airport. It is to be seen as an airport in the countryside, a concept that originates from the original airport inquiry 1980-83.

**10.22.2** Policy S4- Stansted Airport Boundary

The boundary of Stansted Airport is defined on the Proposals Map. Provision is made for development directly related to or associated with Stansted Airport to be located within the boundaries of the airport.

Industrial and commercial development unrelated to the airport will not be permitted on the site.

**The site is within the Stansted Airport Boundary**

- 10.22.3** Policy AIR4 - Development in the Northern Ancillary Area  
The area of land identified on the Inset Map as the northern ancillary area will be principally reserved for activities directly related to, or associated with, the Airport, such as business aviation facilities, hangarage, aviation fuel storage depots and all those activities listed in Policy AIR3.  
**This policy was replaced in the withdrawn Regulation 19 Local Plan and evidence suggests should be replaced in the emerging Local Plan to remove the reservation for activities directly related to, or associated with, the Airport**
- 10.22.4** Policy S8 – The Countryside Protection Zone  
In the Countryside Protection Zone planning permission will only be granted for development that is required to be there, or is appropriate to a rural area. There will be strict control on new development. In particular development will not be permitted if either of the following apply:  
A) New buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside;  
b) It would adversely affect the open characteristics of the zone.  
**The proposal is contained within land which has existing airport use. It is not encroaching into the CPZ. The CPZ adjoins the site to the north east.**
- 10.22.5** 4.9 Land at Stansted Airport is identified specifically for development directly related to or associated with the airport. Industrial and commercial development unrelated to the airport will not be permitted on site. It is not included within the employment land proposals for the expansion of existing firms and the introduction of new employment because of these restrictions on its use.
- 10.22.6** National Planning Policy Framework (July 2021)  
  
Para 20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision<sup>13</sup> for:  
a) housing (including affordable housing), employment, retail, leisure and other commercial development.
- 10.22.7** 6. Building a strong, competitive economy  
Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can

be a global leader in driving innovation<sup>42</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

**10.22.8** 82. Planning policies should:  
a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;  
C) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

**10.22.9** 106. Planning policies should:  
a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;  
e) provide for any large scale transport facilities that need to be located in the area and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements; and  
f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy

**10.22.10** Para 123 Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:  
use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework

<sup>1</sup>  
<sup>44</sup> Policies for large scale facilities should, where necessary, be developed through collaboration between strategic policy-making authorities and other relevant bodies. Examples of such facilities include ports, airports, interchanges for rail freight, public transport projects and roadside services. The primary function of roadside services sites should be to support the safety and welfare of the road user (and most such proposals are unlikely to be nationally significant infrastructure projects).

<sup>2</sup> Department for Transport (2015) General Aviation Strategy

**10.22.11** Parish/Town Plan or Design Statement  
N/A

**10.22.12** Withdrawn Local Plan (2019)

The previously withdrawn Regulation 19 draft plan has no weight. Given the evidence informing the emerging Local Plan indicates a similar direction of travel Policy SP11 is noted below in so far as the concept of non-airport related growth on this land is likely to be carried forward into the new plan (full policy appended):

**Sustainable growth of London Stansted Airport will be supported in principle, subject to conformity with the environmental and transport framework set out in Policy SP11 – London Stansted Airport.**

**10.22.13** Policy SP11 makes provision for the airport to respond positively to future growth opportunities and continue to make significant sub regional and national contributions to economic development, jobs and wealth creation while setting a clear environment and transport framework with which to regulate future growth. The North London Stansted Employment Area is included within the Strategic Allocation for a range of Use Class B employment development.

**10.22.14** Northern Stansted Employment Area  
This 55-hectare site is allocated for B2 and B8 Employment uses. B1, B2 and B8 employment uses are acceptable in principle at this location but will not be restricted to airport-related employment. Small scale ancillary retail and leisure (as defined in Use Classes A1 to A3 and D2) will be permitted in order to serve the needs primarily, of employees in the area. The Council will require proposals to be subject to a comprehensive development brief or Master Plan which shall set out the proportion and phases of development.

**10.22.15** Local Plan Evidence Base  
Uttlesford Employment Needs & Economic Development Evidence (Iceni - November 2021)

**Employment in and around Stansted airport are extremely important to the economy of Uttlesford.**

Stansted Airport is the largest employer in Uttlesford District – around 1/3 of employment in Uttlesford is within Stansted airport and its environs. Around three quarters of employment in this area are in Transportation and storage and Accommodation and food service.

Stansted airport and Birchanger are home to 60% of the larger business units in Uttlesford.

**10.22.16** Office demand is focused generally on local SME businesses and particularly space of up to 20,000 sq.ft. The market is difficult at the time of writing (July 2021) influenced by Covid-19. It is reported that that outstanding requirements are all for small and medium-sized units, with little demand for larger HQ office space. Rents around Stansted Airport achieve around £19 psf which is below viable for speculative development. The new-build office scheme at Trisail Towers has been



on the market for five years, but appears unlikely to come forwards in the short-term given viability challenges.

- 10.22.17** A lack of **industrial supply** is noted in Uttlesford and more generally within 10 miles of Bishops Stortford with a 98% occupancy level within the industrial market. Demand outstrips supply and there is a need to bring forward new development. Within a 10-mile radius of the Airport, agents report significant requirements. There is demand for industrial space in a range of small, medium and large size bands across the District including from established manufacturing businesses in the District. Additional supply is needed, particularly close to M11 Junction 8, which is the area of strongest occupier demand. Demand exists for smaller rural premises across the district and around the smaller towns and villages.
- 10.22.18** Employment Land Needs to 2040  
For offices Icenl therefore considers a range of 4.0-6.3 ha is a reasonable provision for the office market based on a labour demand model and taking into account a discount for R&D premises growth.
- 10.22.19** For industrial 18.9 ha should be considered as a minimum with 27.2 ha being a pragmatic and recommended level of net growth that facilitates new premises for business over the Plan period. This reflects that the vast majority of premises are essentially full and there is justification to support business growth through new allocations. Icenl's of the view that the development at Northside should not be considered suitable supply for the general industrial needs established here, given the very large nature of units which, certainly for phase one, are large scale and strategic in nature and not relating to the historic and local development patterns.
- 10.22.20** The pattern of future allocations should be considered in full as the Local Plan Spatial Strategy developed. At present our view is that Great Dunmow has the strong local industrial market with a range of local businesses. We consider that the allocation of 5-10 ha or more of employment land would be justified. Saffron Walden is the largest settlement. Given the size of the settlement there is limited existing employment land provision. The allocation of some additional land (c. 2-4 ha) would therefore be warranted through the Local Plan having regard to current provision and to support sustainable development. Historic take-up data shows a strong preference for industrial type business to be located up to 5 miles from Stansted where it can access the M11, population centres at Bishop's Stortford and supply chain and business benefits of Stansted Airport. Further industrial and business space should be considered for allocation in this area, beyond Northside.
- 10.22.21** Industrial and Logistics Market  
Uttlesford is not however particularly a market for 'big box' logistics space which is more focused towards major motorway corridors such as, within the East of England, the M1 corridor through Hertfordshire and

Bedfordshire. There is no evidence of big box take-up in the District over the last decade. However, proposals for 200,000 sq.m. of Warehousing space at Northside (adjacent to Stansted Airport) suggests that there is demand for 'big box' space, which is reasonable, given the growth of online retailing, the presence of the airport and proximity to London.

**10.22.22** East of England, LSH reports industrial take-up in 2020 which was 30% above the 5 year average at 5.2 million sq.ft. The available supply of units is 2.0 years for the mid-box units, and less than this for larger/ extra-large sizes.

**10.22.23** Northside  
The airport owners, Manchester Airports Group (MAG), have brought in a development partner – Columbia Threadneedle – to bring forward development of land at Northside, on the northern side of the Airport. (It should be noted that the land has been sold to Columbia Threadneedle and they are the land owner and developer.)

**10.22.24** Around 2.1million sq.ft (200,000 sqm) of principally B8 warehousing development is envisaged, driven by sub-regional/ regional growth in demand for warehousing and logistics space, influenced by structural economic trends including the shift towards e-retailing. It is expected that the early phases of development will be targeted at 'big box' logistics exceeding 100,000 sqft and possibly much larger, although later phases could be smaller units. This reflects the target occupiers as being regional / national occupiers rather than meeting the needs of local businesses.

**10.22.25** Whilst the 2005 Local Plan dictates that this site should be used for Aviation related activities, Stansted Airport's owner-operators don't believe that the site is required for this use and hence it is deemed appropriate that the site is not limited to this use.

**10.22.26** The chart below sets out the shift in retail spending between physical retail space and e-retailing. This structural shift has evidently resulted in a growing take-up of warehousing space which has risen to historical highs, and the expectation is that further growth in internet sales could support further growth.



**10.22.27** Icen consider that whilst Uttlesford has historically seen minimal growth of ‘big box’ logistics uses, this reflects a lack of available supply. The locational attributes of this site – its proximity to the M11, ability to draw on labour from a number of surrounding towns, and proximity to London as a major market for goods – mean it would be commercially attractive for these types of activities.

**10.22.28** Oxford Economics, for the scheme promoters, estimate that the scheme will deliver around 2,600 net additional jobs with associated growth in GVA of £76.6, potentially phased from 2023-30. This suggests employment densities of around 80 sqm per FTE however larger units may be closer to 95 sqm per FTE whilst smaller units could be lower. There are also expected to be temporary construction job benefits of around 1,500 temporary jobs that are likely to involve trades from around the region.

**10.22.29** Stansted Airport  
 In May 2021, Stansted Airport secured planning consent (through appeal) for expansion to 43 million passengers per year. Additional Direct On-Airport Additional employment of 3,000 is expected in the Plan period. Potentially 400-500 additional jobs could be created through indirect and induced employment.

**10.22.30** The airport owners, Manchester Airports Group (MAG), have brought in a development partner – Columbia Threadneedle – to bring forward development of land at Northside, on the northern side of the Airport. Around 2.1million sq.ft (200,000 sqm) of principally B8 warehousing development is envisaged. It is expected that the early phases of development will be targeted at ‘big box’ logistics exceeding 100,000 sqft and possibly much larger. This reflects the target occupiers as being regional / national occupiers rather than meeting the needs of local businesses. Oxford Economics, for the scheme promoters, estimate that the scheme will deliver around 2,600 net additional jobs.

- 10.22.31** Economic Growth outlook  
Iceni has considered baseline forecasts by Cambridge Econometrics which report 61,500 jobs by 2040 from a start of 53,900 in 2019. Based on potential developments at Stansted Airport, Northside and Chesterford Research Park, Iceni is of the view that employment could reach 66,600 by 2040 and that this is a more realistic figure.
- 10.22.32** Affordable workspace  
The market analysis and business engagement undertaken by Iceni has identified a floorspace affordability issue in the office and employment market in Uttlesford particularly relating to better quality spaces. The workspace market can be difficult for micro-enterprise and SME's to enter. As noted elsewhere, there appears to be a role for the public sector in developing and managing smaller quality units which the market can find it difficult to achieve viably.
- 10.22.33** Affordable Workspace can be defined as workspace that has a rental value below the market rate (generally, 80% of the market rate or less). The lower rates mean that occupation tends to be feasible for small or start up enterprises. Therefore, by providing affordable workspace it can help local entrepreneurs and firms to have security and to be protected from rising rents and displacement.
- 10.22.34** London authorities and the GLA provide good examples of planning policies that seek to secure affordable workspace. These use Section 106 agreements in order to deliver affordable workspace.
- 10.22.35** Comments  
Development at Northside is of regional importance, reflecting needs beyond the district, due to the importance of Stansted Airport and the delivery of transport services, related services and business, and employment in the East of England.
- 10.22.36** Northside should not be considered suitable supply for the general industrial needs for the rural economy of the Uttlesford District, given the very large nature of units which, certainly for phase one, are large scale and strategic in nature and not relating to the historic and local development patterns.
- 10.22.37** The Council is in the process of preparing the Regulation 18 Local Plan. Consideration will be made for Planning policies that can widen the benefits of employment growth to surrounding communities. The Employment Needs Report (Iceni 2021):
- 10.22.38** Planning policy can be applied to new developments where there are opportunities to provide apprenticeships or training thus raising skills and attainment and supporting people into higher paid employment, potentially connecting employers and employment opportunities to local

schools, colleges, training organisations and voluntary services. It seems reasonable to include such policies as a matter of course to encourage local skills and employment development and should generate little burden on the developer / contractor.

- 10.22.39** There are a number of authorities in London and the South East that have effectively adopted example policies. Lambeth, Reading and Barnet have set out a policy requirement (as part of Section 106 planning obligation) to access employment opportunities created by the development. This includes creating apprenticeships, using local labour supply and providing training for young people – and where initiatives could not be met in developments, a financial contribution would be considered.
- 10.22.40** Uttlesford District Council will be considering a requirement for S106 planning obligations to develop a site-specific Employment and Skills Plan (ESP). These are likely to cover the following outcomes:
- Number of apprenticeships,
  - Employment and training initiatives,
  - Training and work experience for younger people, including those who are not in employment, training or education,
  - Best endeavours to maximise local labour;
  - Local procurement agreement - potential for local businesses to be included in tender list.
- 10.22.41** Given the importance of Stansted Airport College in the delivery of training and apprenticeships related to the businesses in and around the airport, they would be an important consultee for Northside and any ESP.
- 10.22.42** The market analysis and business engagement undertaken by IcenI has identified a floorspace affordability issue in the office and employment market in Uttlesford particularly relating to better quality spaces. The workspace market can be difficult for micro-enterprise and SME's to enter. The new Local Plan would be looking to include Policy to increase the provision of affordable. This may include for example:
- 10.22.43** 10% of affordable workspace must be included for employment developments over 1,000 sqm, leased to the council for a peppercorn rent for 20 years and managed by a council approved Workspace Provider. Rental values for end occupiers will ultimately depend on the quality of space and its location. All proposals which provide affordable workspace must prepare an Affordable Workspace Statement.
- 10.22.44** If not on-site then equivalent re-provision in an alternative area could be considered.
- 10.22.45** The site is of regional importance but there is environmental impact on Uttlesford and we would seek to secure benefits for Uttlesford, through

an Employment and Skills Plan and contribution to provision of affordable workspace.

**10.22.46** The site has excellent access to the road and rail network, the transport and environmental impacts will need to be identified and addressed, including assessment of carbon emissions and climate change sustainability. The recent Strategic Land Availability Assessment Technical Consultation has revealed that there is not access to the airport for active travel (on foot and cycle) which is a consideration. In the future, there may be a Rapid Transit System in the south of the district, linking neighbouring districts, however this is yet to be determined.

**10.22.47** Northside will be an important employment generator, and consideration needs to be given to staff movements to and from the site. It is particularly important to use this as an opportunity to enhance the existing public transport network at the airport and not to compete with it. One reason for this is that the existing bus network has been established to a degree by S106 funding from airport expansion.

**10.22.48** It is understood via the Stansted Airport Transport Forum that all employees would be offered use of the Airport Staff Travelcard, which gives discounts on fares on the airport's public transport network.

**10.22.49 Conclusion**

The policy restricting the site to aviation related uses is out of date, and more recent evidence indicates it is no longer needed to be restricted to these uses. Furthermore, the evidence informing the emerging Local Plan indicates this site's locational attributes – its proximity to the M11, ability to draw on labour from a number of surrounding towns, and proximity to London as a major market for goods – mean it would be commercially attractive for 'big box' logistics as well as other uses.

Any employment provision on site would reflect a wider regional need than that of the rural district of Uttlesford.

Consideration should be made in S106 agreements to contribute to

- A site-specific Employment and Skills Plan
- Provision of affordable workspace

To conform to Uttlesford Climate Crisis Strategy, other requirements include:

- Sustainable construction methodology and plan
- Submission of a climate change sustainability statement that will be required in the new plan for major developments that highlights issues around carbon emissions and mitigation.

**11. REPRESENTATIONS**

## 11.1

The application was formally consulted to the public by displaying a site notice, sending letters to adjoining and adjacent occupiers and placing an advert in the local paper. Eighteen representations were received raising the following issues:

- Fayair (Stansted) Ltd raised objection on legal right and interest of land excess of 7 years
- Universal Aviation – One of the longest tenants at Stansted Airport and are based on the Northside. As an executive aircraft handler we are dependent on this land for aircraft parking. We object to these proposals which would impact our business.
- Novotel Stansted – Support the re-development and its benefits that will be delivered from the scheme
- Burton Bury - Further extension of time for public consultation required to be able to respond to application.
- The Forge Burton Barns – Objects height and scale of the buildings and the impact on the area;
- residents of Burton End we will be directly affected by the predicted view and scale of visual change as set out in the Landscape & Visual annexes.
- Views will be much worse in the winter months when there are no leaves on the largely deciduous tree line.
- prefer this scale of change to be very minimal or non-existent when viewed from our hamlet of Burton End.
- LPA to restrict by condition the permissible maximum building height at this outline stage.
- Zones 1 & 2, the tallest buildings, the majority of which is Zone 1 at 24 metres high. To put that into perspective compared with an average domestic floor to floor height of 2.65 metres, the vast sheds proposed facing Burton End would be the equivalent of a 9 storey high block of flats!
- Countryside impact
- The taller buildings should have been sited to the south of the site
- Challenge that 24 metres is an industry standard. The very largest distribution centre in this country is the Amazon LCY2 building in Thurrock which stands at apparently 21.8 metres.
- Local Plan 2005 states that Stansted was the "Airport in the Countryside" and there have been severe height restrictions applied over the years not only for the main terminal but for all other buildings around the airport such as the hotels, Endeavour House & Enterprise House to ensure the infrastructure blended with the countryside. A building taller than the largest by volume building in the world partially hidden behind some trees in the summer only and directly abutting the Policy S8 Countryside Protection Zone does not accord with the spirit or intent of Uttlesford DC policies.

- The replacement pitches would not be like for like but development of existing
  - There is a deficit of football pitches in area and scheme wont help matters
  - Elsenham YFC compete with other local clubs and there are no lit pitches in Stansted/Elsenham therefore having to use Braintree facilities with senior team practicing in Epping
  - Question accessibility to the 3G pitch if this was to go ahead
  - No indication of stakeholder engagement in the planning application to address this
  - Alternative land options in the area to be explored
  - Highway & traffic impact to local area including construction stage
  - Height of buildings that are 24m in height are huge same size as airport terminal
  - Visual impact on landscape
  - Loss of community facility in terms of the football pitches and the air cadets more should be provided to replace this
  - Insufficient improvement to transport links including footpath/cycle path from Stansted to the new development.
  - Local water pressure
  - Alternative accommodation should be provided to the AIRCORP
  - Area should be retained for the airport uses
  - Pollution
  - Maga projects should stop being built
  - Jobs are needed up north nor here
  - Erode area
- 
- Airport Industrial Property Unit Trust – does not want to raise any particular objection until consultation responses have been received and reviewed.
  - Airport Industrial Property Unit Trust was set up for institutional investors in air cargo and logistics around 3 main airports. AIPUT is a significant investor in the airport. Demand in the airport area has reduced over the years with limited accommodation in the area affecting performance in the District.
  - Demand for space outstrips supply.
  - AIPUT supports the principle of the development for flexible uses
  - Area directly next to airfield should be reserved for airport related uses
- 
- AIRCORP – led to understand that East Anglia Reserve Forces and Cadets Association have tried to positively engage with the applicant. Not had any communication to help meet the needs of the Corp.



- Unique Cadets to be based at the airport for many years and has local history.
- EIA is silent on this existing community facility and should be addressed.
- It's a community facility/asset that should not be lost as per planning policies
- Fed Ex – object to the loss of the Boarder Control Point.
- Loss of BCP would have a devastating impact on the importation of animal by products and animal origin making it impossible for freight carriers and in turn pushing up prices for food and chemical stuff
- Fed Ex processes over 9000 animal products.
- Fed ex do not object to the development but to the closure of the BCP and should be relocated elsewhere on the airport
- Stansted Watch – object, scheme contrary to policy in relaxing the use of the area of airport related uses whilst acknowledge the Regulation 19 draft this has been abandoned and there is no revised policy in place and therefore cannot prejudge the scheme on draft policies.
- Concerns over road traffic implications.
  
- Support application the repurpose the underutilised brownfield land and deliver a hub of prime commercial development.
- It would provide the majority of the employment land the District needs for employment and economic growth.
- Delivery of wide benefits to the area
- Introduction of 3000 new permanent and 2000 temporary jobs
- £10m in annual business rates
- Social benefits helps with education, health and environment
- Why should this not be granted?

#### **11.4 Comment**

**11.4.1** The above concerns raised within the representations are considered in detail within the below assessment.

#### **12. MATERIAL CONSIDERATIONS**

**12.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

**12.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a) The provisions of the development plan, so far as material to the application,;

(a) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

**12.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

## **12.4 The Development Plan**

**12.4.1** Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Thaxted Neighbourhood Plan (made February 2019)  
Felsted Neighbourhood Plan (made Feb 2020)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Stebbing Neighbourhood Plan (made 19 July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made 6 December 2022)

**12.4.2** Stansted Mountfitchet is a Neighbourhood Plan Designated area which is still with the Parish Council to bring together. It should be noted however that the Airport falls outside of the designation.

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2021)

### **13.2 Uttlesford District Plan 2005**

**13.2.1** The relevant policies associated to the application proposals are as follows:

S4 - Stansted Airport Boundary  
 S7 – The Countryside  
 S8 – The Countryside Protection Zone  
 AIR3 - Development in the Southern Ancillary Area  
 AIR4 – Development in the Northern Ancillary Area  
 AIR6 - Strategic Landscape Areas  
 GEN1- Access  
 GEN2 – Design  
 GEN3 -Flood Protection  
 GEN4 - Good Neighbourliness  
 GEN5 – Light Pollution  
 GEN6 - Infrastructure Provision  
 GEN7 - Nature Conservation  
 GEN8 - Vehicle Parking Standards  
 ENV2 - Development affecting Listed Buildings  
 ENV3 - Open Space and Trees  
 ENV4 - Ancient Monuments and Sites of Archaeological Importance  
 ENV7 - The Protection of the Natural Environment Designated Sites  
 ENV8 – Other Landscape Elements of Importance for Nature Conservation.  
 ENV10 - Noise Sensitive Development  
 ENV11 – Noise Generators  
 ENV13 - Exposure to Poor Air Quality  
 ENV14 - Contaminated Land  
 LC1 – Loss of Sports Fields and Recreational Facilities  
 LC2 - Access to Leisure and Cultural Facilities  
 LC3 – Community Facilities

### **13.3 Supplementary Planning Document or Guidance**

**13.3.1** Essex County Council Parking Standards (2009)  
 Uttlesford Interim Climate Change Policy (2021)

## **14. CONSIDERATIONS AND ASSESSMENT**

**14.1** The issues to consider in the determination of this application are:

- A. Principle of Development & Economics**
- B. Design**
- C. Heritage & Archaeology**
- D. Landscaping & Nature Conservation**
- E. Amenity**
- F. Highways**
- G. Fuel Farm with associated COMAH restrictions**
- H. Contamination**
- I. Flooding**
- J. Community Uses**
- K. Planning Obligations**

## **L. Environmental Statement**

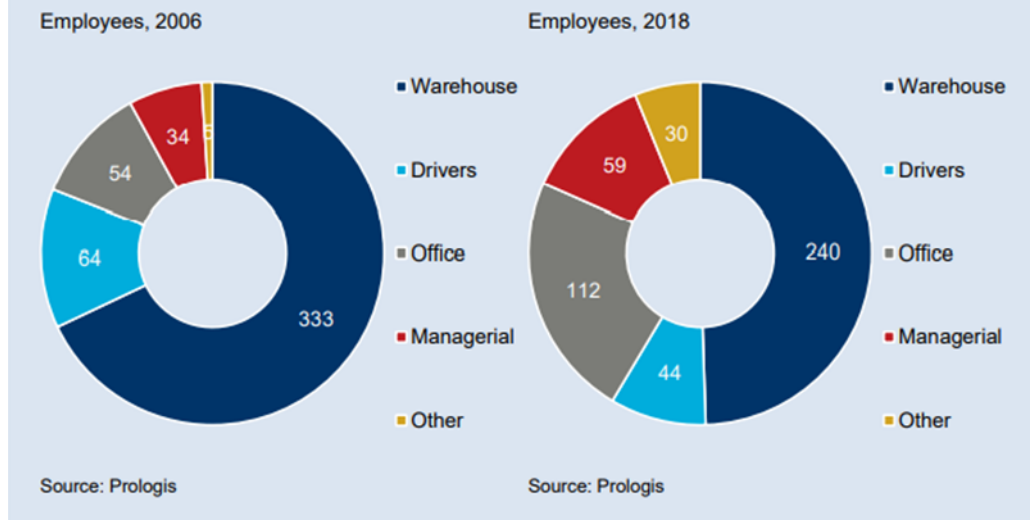
### **14.2 A. Principle of Development & Economics**

- 14.2.1** The adopted Local Plan states that the airport should be seen as an airport in the countryside and seeks the protection of this. Local Plan Policy S7 highlights that the countryside is defined as areas beyond Green Belt and that is not within a settlement or other site boundaries. There would be strict controls over new buildings and development compatible with the countryside by protecting and enhancing its appearance the particular character of the countryside within which it is set or special reasons it needs to be there. A review of policy S7 for its compatibility with the NPPF has concluded that it is partially compatible but has a more protective rather than positive approach towards development in rural areas.
- 14.2.2** Local Plan Policy S8 relates to the Countryside Protection Zone which surrounds the airport preventing coalescence between the airport and the existing development surrounding countryside.
- 14.2.3** The application site is located wholly within the boundaries of the airport and is classified for use for airport purposes as identified by Local Plan Policy AIR4 with a slither of land to the north and west classified as Strategic Landscaping protected by Local Plan Policy AIR6 and Local Plan Policy S4.
- 14.2.4** Local Plan Policy S4 defines the airport boundaries. It seeks that all airport related development is within the boundaries and non airport industrial and commercial uses would not be permitted on site.
- 14.2.5** Policy AIR4 relates to the northern ancillary area which states that this is principally reserved for activities directly related to or associated with the airport, businesses such as aviation facilities, hangerage, aviation fuel storage depots and all activities listed in Local Plan Policy AIR3, such as car hire, parking, maintenance and valeting operations, flight catering units, offices for various support functions for the aircraft maintenance which can be carried out remote from the aircraft being serviced, aircraft training facilities, computer centres and equipment storage facilities for airlines.
- 14.2.6** Policy AIR6 seeks the protection of the strategic landscaped areas identified on maps. A northern slither of the application site falls within this zone.
- 14.2.7** The Local Plan is considered to be out of date through the passage of time in terms of site allocations, the market changes and the more recent up to date national policy changes such as the National Planning Policy Framework.

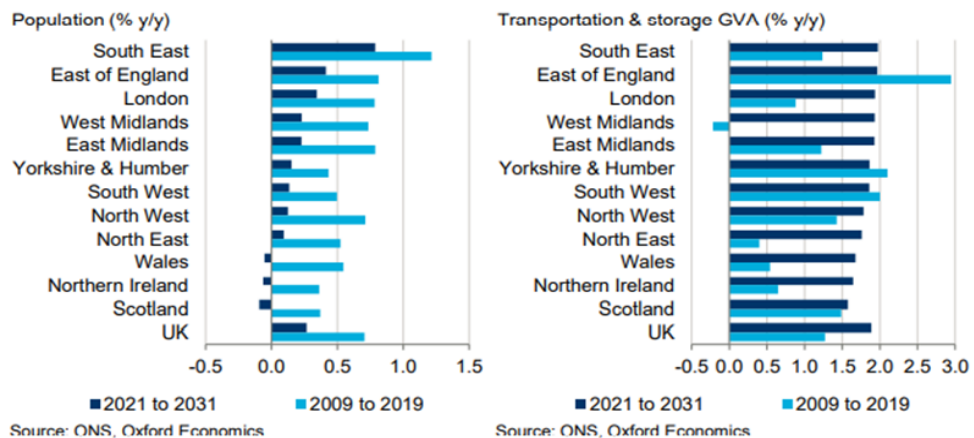
- 14.2.8** The Uttlesford Local plan 2005 National Planning Framework Compatibility Assessment (July 2012) highlights that the NPPF is silent on Local Plan Policies S4, AIR4 and AIR6 as they are site specific policies.
- 14.2.9** The NPPF (2021) seeks to achieve sustainable development through economic, social and environmental strand.
- 14.2.10** Section 6 of the NPPF focuses on building a strong competitive economy. Paragraph 81 states;
- “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation<sup>42</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”*
- 14.2.11** In terms of policy compliance it is considered that the principle of the scheme is partially compliant with Local Plan Policies S4 and AIR4 in terms of that whilst logistic buildings form the bulk of the proposed scheme, there are similar activities on site, plus the application is outline for mixed use whereby even though the market will determine the end users; this does not preclude airport use occupation. The objections raised by existing occupiers Fyair and Universal are located in the blueline. These operators will continue to remain on site and will not be lost as part of the proposed development. The proposal’s partial non compliance with the Local Plan Policies S4 and AIR4, is in turn compliant with the up to date NPPF (2021).
- 14.2.12** The scheme complies with paragraph 82 of the NPPF which states;
- “Planning policies should:*
- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
  - b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
  - c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
  - d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”*

- 14.2.13** The submission makes the case that the application site is not required for development linked to the airport. The land was therefore promoted by the applicant in the most recent call for sites for independent commercial development. The submitted supporting information states that there has been a material change in circumstances since the adopted Local Plan in 2005 in that the need has changed. The scheme sets out a strategy of growth by allowing the market to determine the occupation, whilst market research has shown demand in particular fields this provides flexibility whilst attracting inward investment into the area and potential growth hub. The parameters discussed in Section 4 provides a controlled framework for this to happen.
- 14.2.14** Paragraph 83 of the NPPF states “*Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations*” This scheme is considered to comply with Paragraph 83 of the NPPF.
- 14.2.15** An Economic Needs Assessment had been undertaken and submitted as part of this application. The Economic Needs Assessment prepared by Oxford Economics supported by an up to date market advice from commercial agents, Gerald Eve. It has been highlighted within the report that there is a need for logistics of this scale plus a need for life sciences and technology. A lot of this demand is stated to be currently fulfilled outside of the District, which is contributing to District residents commuting out of the District for work. The spike in logistics is centred around the increase in e-commerce. The tables below indicate the shift in employment at distribution sites over 12-year period, also the growth of warehouse distribution in the region. The Economic Impact report states that “Recent evidence indicates that the UK continues to underprovide new logistics sites, despite strong recent demand.” It also states that the UK has a shortfall in supply is particularly acute among National Distribution Centres (NDCs) and the East of England’s logistics sector suffers from a shortfall of large logistics sites.

**Fig. 8. Average employees at a distribution site (based on a 500,000 sq.ft building), 2006 to 2018**



**Fig. 9. Population and transportation & storage GVA growth, UK regions, 2009 to 2031**



- 14.2.16** The application site has been stated to have a large growing population of residents within a 1-hour drive of the site such that there are approximately 5 million people within this catchment area. This being the case the site is likely to be attractive to existing and future residents of the district in terms of its geography.
- 14.2.17** The environmental and social element of the scheme would be further assessed below.
- 14.2.18** The site is not suitable for residential development due to its environmental constraint of noise from the airport and its activities and the most suitable alternative would be commercial for this brownfield site.
- 14.2.19** Following the review of the draft local plan in April 2020 the Planning Inspector at the time of the review had not raised concerns regarding

this allocation site. Therefore, in consideration of this and the sites' strategic location, plus comments from the Policy Team (outlined in full in Section 10.22 above) the principle of the development in this location is considered to be acceptable as its use for non-airport related activities subject to mitigation.

**14.2.20** In terms of the purported economic benefits of the scheme these have been listed;

*Table 3: Local Economic Benefits*

Construction Phase	Operational Phase
£245,000,000 investment	2,650 net additional local jobs
242,000,000 GVA contribution to GDP - £98,000,000 of which could be generated in the Uttlesford economy	£81,400,000 net GVA contribution p.a. locally
4,380 job years of employment	£49,600,000 generated in annual earnings locally
£104,000,000 in earnings - £37,000,000 of which could be generated by local workplace based employment; and	£45,500,000 in taxes p.a.;
£44,000,000 in taxes generated.	£9,450,000 in non-domestic rates p.a.

**14.2.21** The scheme would displace 140 existing jobs on site however is expected to generate circa 2,150 jobs on site when fully operational. There would also be a large number of jobs (circa 4,380 jobs) created during the construction period which is likely to last over an approximate 6 year period, over a possible 4 phases, with half of these suggested to be created and sustained within Uttlesford.

**14.2.22** In terms of the sustainability element as promoted by the NPPF it is considered to be achieved as the scheme would make better, efficient use of under utilised land. The site is located within a key strategic economic development corridor of London to Cambridge with easy access to the M11 and A120. Amongst this there are alternative travel options via railway, buses and cycle route linkages. There is also connectivity with the rest of Essex and Anglia through A131 and A12/A14 that connects to the Ports of Harwich & Felixtowe and not forgetting the airport itself sited to the southeast of the application site.

**14.2.23** It is understood that there are a number of local businesses that are struggling to relocate to new larger business premises particularly as large business estates are full to capacity. The proposed development would provide the opportunity for certain businesses to be located closer



to their business focus, aviation. However it is made clear within the planning submission that the development has no link to the airport and airport operations.

- 14.2.24** The Essex County Council Growth Team acknowledges that a third of the active population commutes out of the district for work. It seeks a cap for B8 uses to allow for what they consider improved contribution to the local economy and local residents. However, it also states that there is a market for such uses and Northside is the only location that could cater for such large logistic units. Both the Policy Team and the Growth Team reaffirm that the sectors the proposed units are aimed at (namely advanced manufacturing and engineering, research and life sciences) are growing and there is a need. It is considered that adding a cap for B8 uses would negatively restrict the market led development and therefore it is considered that should planning permission be granted a condition ensuring that a minimum amount of non B8 uses is provided on site.
- 14.2.25** Both the Essex Growth Team and UDC Policy Teams seek to secure affordable units on site however there is no local plan policy to require this provision and the proposed development is modelled on market demands with a set financial business model that is unlikely to allow this to be viable. The market will determine whether the scheme can support smaller units to be provided on site.
- 14.2.26** Paragraph 81 of the NPPF stresses that “*significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunity for development.*” The land in question is considered to be brownfield of which the scheme is proposed to make more efficient use of this. There is no principle objection raised by the Essex Growth Team and UDC Policy subject to conditions.
- 14.2.27** Together with the partial Local Plan non compliance there would be the loss of Bury Lodge Cottages (residential uses) on site. These are in the ownership of the applicant. They are inappropriately located in relation to the airport whereby the residents amenity is currently compromised. The loss of two residential units weighs against the scheme although is not considered to be unacceptable when weighed against the significant economic benefit that would result from the scheme. The physical loss of the dwellings would be balanced against improved additional landscaping on site that would thicken up the existing protected Strategic Landscape in accordance with Local Plan Policy AIR6.
- 14.2.28** It has been concluded by Essex County Council Minerals and Waste Planning that a Minerals Impact assessment and a Mineral Resource assessment is not required due to the location of the site. Therefore the scheme accords with the Minerals Plan in this respect.

**14.2.29** Overall, in terms of the principle of development, the proposed development is in accordance with the policies within the NPPF, and Local Plan Policy AIR 6. The scheme has the potential to be in accordance with Local Plan Policies S4 and AIR4, however where the scheme is partially compliant with these policies significant weight is placed upon Paragraph 81 of the NPPF therefore the principle is considered acceptable, and the impacts discussed above are not adverse and would ‘significantly and demonstrably’ outweigh the benefits of the proposal in the planning balance.

**14.3 B. Design**

**14.3.1** The NPPF recognises the intrinsic beauty of the countryside. Paragraph 174 of the Framework further states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

**14.3.2** In terms of design policy, good design is central to the objectives of both National and local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at Paragraph 124 ‘*The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve*’. These criteria are reflected in Policy GEN2 of the adopted Local Plan.

**14.3.3** Local Plan Policy GEN2 states;

*“Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.*

*a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;*

*b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;*

*c) It provides an environment, which meets the reasonable needs of all potential users.*

*d) It helps to reduce the potential for crime;*

*e) It helps to minimise water and energy consumption;*

*f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.*

*g) It helps to reduce waste production and encourages recycling and reuse.*

*h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.*

*i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as*

*a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.”*

**14.3.4** Within the Planning Statement the applicant makes reference to paragraphs 124 and 126 of the NPPF which highlights the following;

*“124. Planning policies and decisions should support development that makes efficient use of land, taking into account:*

*(a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*

*(b) local market conditions and viability;*

*(c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*

*(d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*

*(e) the importance of securing well-designed, attractive and healthy places.”*

And;

*“126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*

**14.3.5** This is an outline application where appearance, scale and landscaping are reserved matters. The application provides set parameters such as land use zoning, landscaping and building heights which will guide the reserved matters submission. The parameters have been set to provide certainty to the quantum and scale of development. The setting of parameters would also ensure that the basic design principles of the scheme accord with policy.

**14.3.6** The parameter plans would limit and show the extent of the development proposed, the extent of the built development zone, defined heights and maximum height limits, vehicular access points, extent of

landscaping/and green zones (existing & proposed) and maximum floor area.

**14.3.7** The key site constraints that that have informed the parameters and illustrative masterplans are the Grade II Listed Bury Lodge, the fuel farm with associated COMAH restrictions, the ponds, underground fuel lines that go through the site and the existing strategic landscaping, plus woodlands.

**14.3.8** A Design Code has been prepared by the applicant's Architect and has been submitted in support of the application. The Design Code provides a framework for the design of the speculative development to evolve.

**14.3.9** The Design Code covers the following elements;

- Key Design Principles,
- Building Design,
- Infrastructure Design,
- Accessibility,
- Landscaping Strategy,
- Boundary Treatment,
- Crime Prevention, and
- Biodiversity

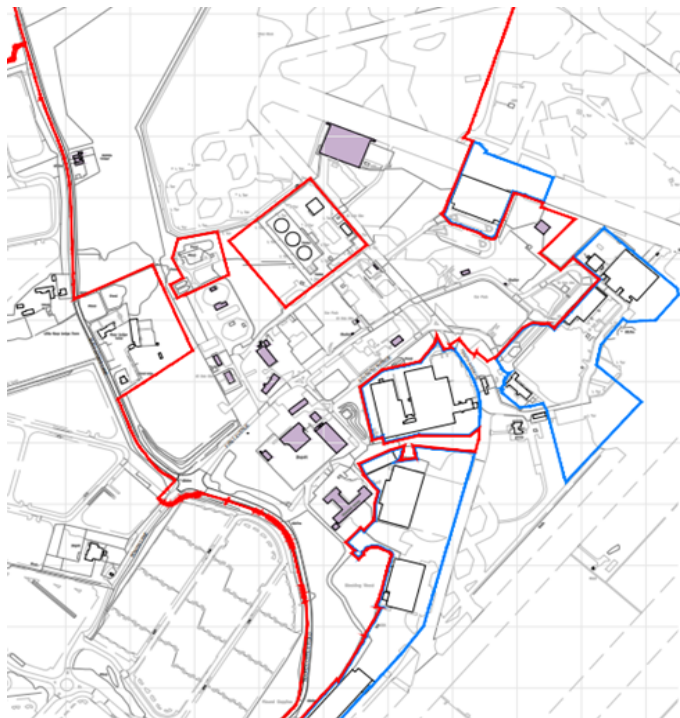
**14.3.10** The Design and Access Statement highlights that the main design brief has been tasked to provide and have consideration for a number of elements. The DAS states the scheme should,

- *“to provide a high-quality employment development that will satisfactorily and flexibly respond to a variety of market requirements for industrial and distribution uses;*
- *to provide buildings of good quality and sustainable design;*
- *to create a landscaping scheme which will provide a buffer to the surrounding areas, as well as an attractive setting for the development and to provide amenity space for occupiers and visitor alike;*
- *to provide flexibility for different layouts in order to respond to market demand and occupier requirements; and*
- *to permit clear and effective access arrangements which will not cause traffic conflicts on the wider network.*

*It is envisaged that the development will be delivered sequentially to suit occupier requirements and to respond to market need. Therefore, each reserved matters application will need to reflect and respond to the reserved matters already approved. The design code will be applied but there will be a developing design baseline.”*

**Layout;**

- 14.3.11** The scheme is indicative in terms of layout however the submission of a parameters plan provides zoning for the location of the heights of the scheme and provides an indicative layout of where the larger logistic buildings are likely to be located to the northern sector of the site.
- 14.3.12** As part of the redevelopment of the site a number of existing buildings are proposed to be demolished. A number are dated buildings which have reached their life expectancy.
- 14.3.13** Drawing 31519-PL-103 below highlights the buildings proposed to be demolished. One of which is the existing Titan Hanger to the north of the site, a vacant café and the Air Corps buildings to the west, as well as Stansted House to the south.



- 14.3.14** The indicative layout plans provide First Avenue as the main spine road into the site which provides the main frame for the scheme, with development either side of this. The DAS indicates various formats of layouts that are possible with the proposed maximum floorspace. This shows minimal additional infrastructure creation and various sizes of possible units that could be accommodated on site. The scheme whilst needing to be flexible it would also need to be attractive to draw in future tenants and be responsive to accommodate future business needs.
- 14.3.15** Part of the Design Code assessment looked at offices fronting the main roads so there is an active frontage, separating vehicle movement from pedestrian movement and inward facing yards so that the main activity is hidden. Breaking up long elevations and using appropriate coloured materials as a design tool.

**14.3.16** Materials are stated would be of metal cladding with a consistent and common palette of colours and cladding type. A limited range of surface materials using vertical and horizontal bands to facilitate in reducing massing. A neutral palette is proposed to provide a simple uncomplicated modern appearance. Offices would be treated distinctly from other functional elements.

**14.3.17** The plans provide a reinforced landscaping scheme to the north-western part of the site's boundary. This element is a detail for consideration at a later date, whilst within the site an appropriate landscape scheme would need to be agreed as the phases come forward as part of the reserved matters, nonetheless the overall landscaping would need to managed singularly on a site wide level rather than a plot by plot level for consistency and for airport operational reasons. This will be discussed further below.

**Appearance;**

**14.3.18** Appearance is reserved and will be assessed as part of future applications if outline consent is approved. However, it should be noted that the Design Code that sits alongside the DAS sets out the main principles of elevational design, the treatment of public realm, the most suitable orientation of buildings, and the specification of the colours and materials to be used. The Design Code would provide flexibility and the use of good quality sustainable materials. This is to help in assisting in achieving the design visions of the site and to ensure high standard of design and consistency. Nonetheless, although the appearance is a reserved matter the following visual has been provided as a vision of what the site is likely to look like;

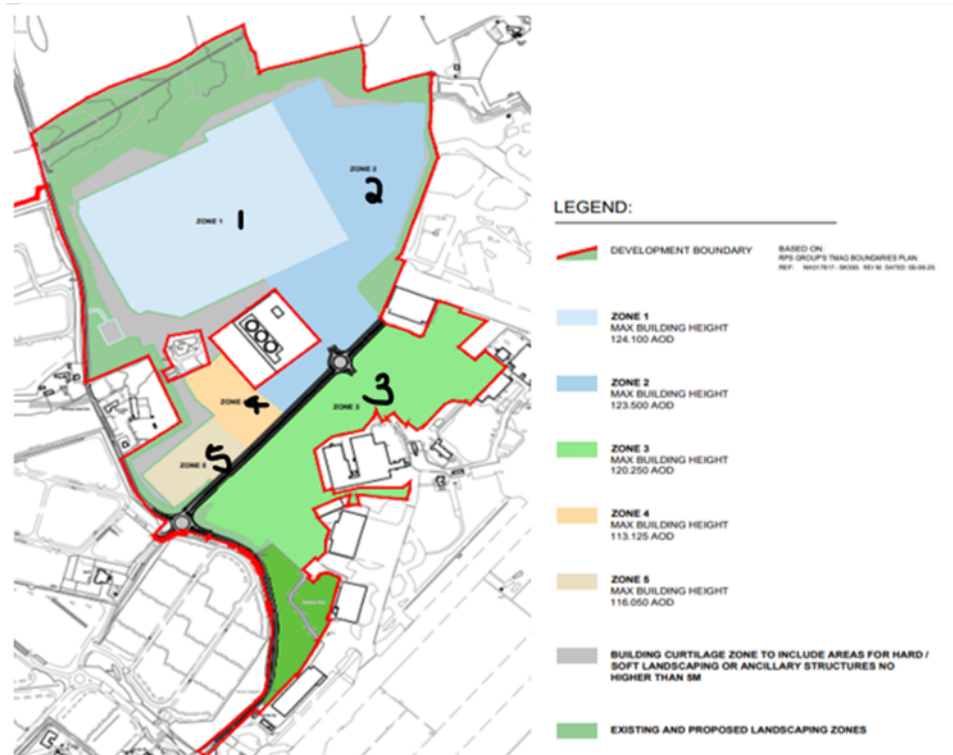


**Scale;**

**14.3.19** As with appearance, scale is also reserved to be assessed as part of future reserve matters applications. The applicant has indicated the upper limits of floorspace and building heights plus zonal areas of building heights. This is considered acceptable in relation to the site's location and surroundings.

**14.3.20** The existing surrounding area has large scale developments on the site including airport hangers ranging from 21.2m-22m in height and warehousing around the western and eastern area. The proposed units are comparable in height and scale based on the upper limits indicated in drawing.

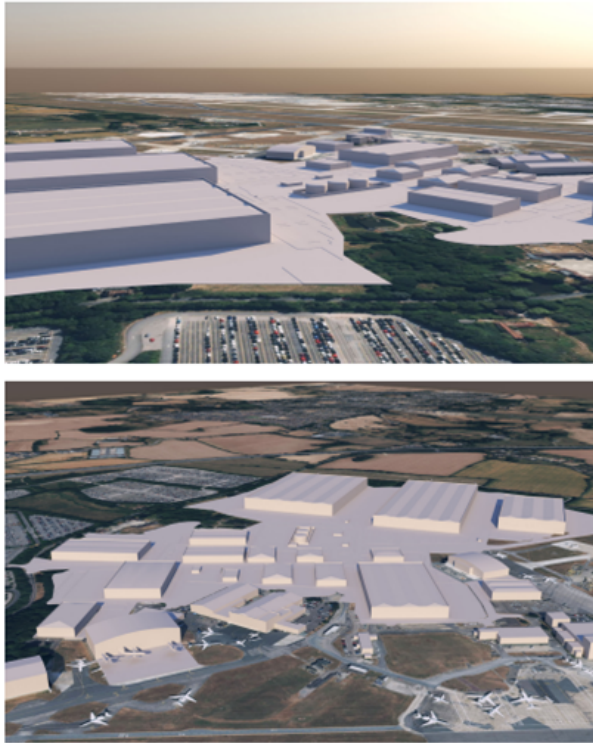
**14.3.21** The drawing 31519-PL-102 below illustrates the parameters of the proposed development in relation to the site's constraints;



**14.3.22** The 'Scale' parameters which are sought for approval are presented in terms of zonal heights:

- Zone 1 – maximum building height of 124.100m AOD;
- Zone 2 – maximum building height of 123.500m AOD;
- Zone 3 – maximum building height of 120.250m AOD;
- Zone 4 – maximum building height of 113.125m AOD; and
- Zone 5 – maximum building height of 116.050m AOD.

**14.3.23** The heights provided are maximums and have been determined by constraints on site including Safeguarding of Aerodromes protecting the take-off cones from the main runways. The applicant has undertaken an assessment exercise of this. The Airport bodies have been consulted of the planning application of which no objections have been raised by subject to conditions.



Views of the illustrative Masterplan showing the massing of the units

- 14.3.24** The images above provide an illustrative example of the massing of the buildings of which it has been stated that it is unlikely that the buildings would be as large as the maximum parameters sought. It should be noted that whilst the heights and massing is capped and zoned, the landscaping forms part of the mitigating screening, a natural barrier. The application site falls within Policy AIR4 reserved for activities directly related to or associated with the airport, businesses such as aviation facilities, hangarage, aviation fuel storage depots and all activities listed in Local Plan Policy AIR3, such as car hire, parking, maintenance and valeting operations, flight catering units, offices for various support functions for the aircraft maintenance which can be carried out remote from the aircraft being serviced, aircraft training facilities, computer centres and equipment storage facilities for airlines. Therefore, there is a policy acceptance that there is likely to be large scale buildings located in this area. There are already buildings of this scale on site at present as discussed above.

**Sustainability:**

- 14.3.25** The proposed buildings would be subject to the current Building Regulations in terms of accessibility in accordance with Local Plan Policies GEN1 and GEN2 in terms of meeting Part M of the Building Regulations. However, the scheme would also at the very least meet sustainability in terms of energy efficiency and low carbon/renewable energy in accordance with the current high bar which is set. UDC have Supplementary Planning Guidance Energy Efficiency and Renewable Energy SPG (October 2007) and the more recent Interim Climate



Change Policy (2021). The applicant has expressed their commitment to ensuring the development would be at the forefront of the latest technology to achieve a highly sustainable scheme. The applicant has developed a Net Zero Strategy and Pathway (August 2021) to investing and decarbonising their entire portfolio by 2050. The proposed scheme will be designed to accommodate this with using an all-electric strategy, solar panels, energy metres, low carbon renewable technologies, targeting EPC rating 'A' for the offices, provision for battery storage, air source heat pumps for the offices, air tightness and led lighting throughout. There is a commitment to at least meet a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good' and aiming for 'Excellent' with an ambition for 'outstanding' subject to the individual use of the buildings. Should planning permission be granted this could be conditioned and further assessed at reserved matters stage. This element of the proposal is therefore considered to be in accordance with and goes beyond policy requirements.

**Accessibility;**

**14.3.26** Whilst the application is outline, the Design Code submitted with the application lists the various features that the scheme would adopt to comply with Part M Building Regulations. This would need to be assessed at Reserved Matters stage. Nonetheless, the scheme would comply with Part M in accordance with Policies GEN1 and GEN2 of the Local Plan.

**Crime Prevention & Personal & Aviation Safety;**

**14.3.27** Part of Local Plan Policy GEN2 seeks "c) *It provides an environment, which meets the reasonable needs of all potential users.*" Also "d) *It helps to reduce the potential for crime*" amongst other things.

**14.3.28** Due to the nature of the application and its location consideration has been given to security and safety to the airport and the site's users. Many of these details would be provided at Reserved Matters stage. However, the DAS specifies the following points to tackle crime prevention in the following ways:

- Access & Movement: The development needs to be laid out to permit open access points which are clearly visible and open to surveillance from a distance. The development should be laid out to permit convenient movement without compromising security. Car parking is to be provided in the most prominent locations available,
- Structure: The development is to be designed to remove opportunities for crime. The building is either within the tenants' own management or that of the management of the estate,
- Surveillance: CCTV is expected within the site, with car parking also overlooked by the offices. CCTV ducting, poles and brackets will be provided in the development with the CCTV cameras and cabling

to be installed by occupiers. Dark spaces will be well lit,

- Ownership: The application site and the wider estate are in single ownership enabling a consistent approach to safety and security. The units will be designed to ensure sense of ownership by the occupier through good design and where appropriate this will be further enforced by enclosing potentially vulnerable areas by fencing and legal demise,
- Physical Protection: The building will be designed in robust materials - metal sheet cladding on a steel frame. Where glazing is incorporated, toughened laminated sections will be included around the yard and car parking where necessary,
- Activity: The main activity in the future units will be that of the business itself (i.e. industrial/ warehousing) which will tend to take place both within the building and its service areas,
- Management & Maintenance: A dedicated team at the estate operates 24 hours, 7 days a week, specifically charged with maintenance, landscaping and security of the estate.

- 14.3.29** The scheme would be designed to meet fire standards in accordance with Building Regulations providing safe emergency evacuation points.
- 14.3.30** The Design Code specifies that security fencing for services yards would be 2.4m high paladin/weldmesh. Acoustic timber fencing would be utilised where necessary to limit appearance and noise from yards.
- 14.3.31** It has been also stated natural surveillance and lighting would be a design factor especially offices overlooking public realm and car parking. it is stated that lighting would be provided for cycle and footpaths during the dark hours with dark stops being avoided. Signage will also form part of defining public and private areas.
- 14.3.32** The Crime Prevention Officer has provided comments regarding the scheme however as the scheme is outline and the finer details need to be further consulted on at reserved matters stage. Some areas of concern raised by the Liaison Officer, as outline in Section 10.6 above, can be conditioned should planning permission be granted.
- 14.3.33** Due to the outline nature of the application the above designing out crime principles is acceptable and in accordance with Local Plan Policy GEN2 and the NPPF.
- 14.3.34** A Risk and Hazard Management assessment has been submitted as part of the application for consideration. The main risk concerns jet fuel storage and the possibility of fire. Explosions and toxicity are not a likely risk. The report highlights that there are pressure values located in an area by the fuel storage compound. The design of the scheme would need to take account of any liquid overspray as a result. It is made clear

that whilst there is potential for tank failures this together with the risk of fires are very low. The DAS states that the layout has been assessed in land use terms based on methodology produced by the Health and Safety Executive (HSE) with respect to the COMAH (Control of Major Accident Hazards) Regulations and the licence restrictions due to the proximity of the oil tanks within the site. The illustrative example of the layout of the scheme has been centred around the COMAH Regulations to reduce those risks. The nature of the material to be used in the construction is also a consideration during the detailed design stage to ensure that it is not flammable together with the size of window openings etc. Also, the design of the drainage would need to ensure that no pooling of liquids occurs creating a hazard. Further consultation with HSE would take place at reserved matter stages.

- 14.3.35** An emergency services routes through the site, pass the fuel storage tanks to the airside boundary to the runaway has been identified within drawing 31519-FE-057 Revision A (dated Nov 2021) located within the Aviation Matters document (Montagu Evans January 2022). This has sought to be secured via condition to ensure its implementation and protection by STAL.
- 14.3.36** The location of the creche and café are indicatively shown within or straddling the sensitive area zones and have been considered subject to their expected size. The indicative layout shows the crèche within the middle zone and the corresponding RAS report confirms that this is acceptable because it is below 14,000sqm (page 7). It's proposed indicative location is thus in accordance with guidance. However, officers have explored locating the entire unit outside of the COMAH Zones and there is scope to do so. This level of detail is still to be determined at reserved matters stage and through the design of the buildings.
- 14.3.37** Due to the scheme proposing to respect the COMAH Regulations the HSE raise no objections to the development.
- 14.3.38** Various Urban Design comments have been provided and outlined in Section 10.1 above. Whilst a lot of the comments are focused around the Design Code that has been submitted all of the comments raised are detailed comments that would be assessed in full at the Reserved Matters Stage.
- 14.3.39** A Bird Hazard Management Plan (BHMP) has been submitted as part of the application to ensure that none of the proposed construction works or operations would encourage birds and animals within the aerodrome 13km radius safeguarding zone creating a hazard to aviation. The key points which the document looks at is:
- Provide summary information on baseline Site conditions and methods pertaining to the works to facilitate the Proposed Development. This is so that it can be demonstrated that the

identification of potential bird hazards and mitigation/monitoring recommendations are appropriate.

- Undertake a high-level evaluation of the bird hazards associated with the construction and operational phase.
- Identify appropriate bird monitoring and dispersal/mitigation measures.
- Identify those responsible for bird monitoring and dispersal/mitigation techniques; and
- Identify stakeholders and identify arrangements for stakeholder consultation and airport liaison.

**14.3.40** The BHMP highlights that no drainage water bodies would be created that would attract wildlife. Run off is proposed to be discharged to Bury Lodge stream as it currently does. The construction of the buildings is assumed to be steel framed again reducing risk to the site. However, the document acknowledges that the application is outline and there are several details which are unknown yet. These must be considered at reserved matters stage.

**14.3.41** The main stakeholders identified to assist with the consulting and reporting is the applicant CTi, STAL and UDC as the Local Planning Authority. It is outlined in the plan that to ensure the plans effectiveness the applicant would need to liaise with STAL to ensure the monitoring, surveillance site visits and any required mitigation is undertaken. Observations from the site visits would need to be reported to the stakeholders. During the construction period the developer would appoint a Wildlife Hazard Liaison Officer who will be the principal contractor and who would communicate with STAL and manage the activities of the onsite Wildlife Control Operatives. As part of this appropriate training is stated would be provided to relevant site personnel.

**14.3.42** The BHMP outlines that the future site occupiers and the landlord would be responsible moving forward for the monitoring and mitigation to reduce bird strike risks, plus be made aware of the legal recourse that exist as part of the Air Navigation Order 2016. Buildings would be monitored by an appointed by bird hazard strike consultant will be appointed to monitor bird use of the buildings.

**14.3.43** The Plan undertakes a hazard evaluation of the risks associated with the development and an acknowledgement of the baseline that exists at present verses aviation tolerance levels, plus the level of severity. Advice has been provided regarding the design the development such as avoiding large flat or sloping roof areas with gullies that is suitable for breeding birds, surface water attenuation should be via underground tanks, management of the construction phase to avoid attractions, landscaping would need to be considerate, plus buildings designs would need to not have external ledges or crevices that would encourage nesting. Also, solar PV can provide habitats therefore would need to be mitigated.

- 14.3.44** The landscaping would need to be ornamental shrub planting and hedge planting which are not berry bearing. It is suggested that orchards and extensive evergreen planting is also avoided.
- 14.3.45** An Aviation Safeguarding Matters document has been submitted for consideration as part of this application. This covers glint and glare, runway wind impact, instrumental flight procedures, emergency access route and NATS advice.
- 14.3.46** An assessment has been undertaken of the Illustrative master plan and likely layout of PV panels and its effect on glint and glare upon aircrafts. As the application is outline the assessment is not finalised until reserved matters stage as the phases come forward. The assessment of the glint and glare takes account of a worst-case scenario with southerly facing panels. 70 possible layout options have been assessed. The assessment concluded that *“There are solar panel layouts available that would produce acceptable results for the ATC Tower (no glare) however for the most part, the assessed layouts would produce unacceptable results without further detailed operational analysis and consultation with the safeguarding team at Stansted Airport.*

*Glare towards the ATC Tower is automatically judged as a potentially significant impact. Any glare towards the ATC Tower would need close coordination with the airport’s safeguarding and specific operational consideration team to ensure safety. There are however layouts that avoid glare towards the ATC Tower altogether. The majority of the layouts do cause glare towards the ATC Tower and would be potentially more problematic to realise in practice.*

*If for other technical reasons there is a preferred layout which produces glare towards the ATC Tower, detailed operational analysis might show that the level of glare for a particular layout is acceptable when considering the predicted time and duration of the solar reflection.*

*No significant impact upon the approach paths for runway 04 or 22 is expected for any layout. It is the author’s expert opinion that any typical solar panel layout taken forward based on the assessed roofs would produce an acceptable level of impact on approaching pilots due to the relative size and location of the proposed units to the approach paths. This should however be confirmed once a final layout is produced.”*

- 14.3.47** In terms of wind impact desk study had concluded that the proposed masterplan development is unlikely to have a significant impact on runway wind conditions, despite its proximity to the runway & orientation with respect to prevailing winds. However, further assessments would need to be submitted as the details of the scheme evolve should planning permission be granted.

**14.3.48** With regards to instrumental flight procedures various flight approaches including the following have been considered to ensure there would be no unacceptable obstructions from the scheme;

- Air Traffic Control Surveillance Minimum Altitude Chart
- Visual Circling
- Minimum Sector Altitudes
- Visual Segment Surface
- Obstacle Free Zone

**14.3.49** The assessment concluded that Air Traffic Control Surveillance Minimum Altitude Chart would not be affected by the proposed development. The other areas Visual Circling, Minimum Sector Altitudes, Visual Segment Surface and Obstacle Free Zone are concluded to be unaffected by the development

**14.3.50** In accordance with Government guidance the aviation authorities have been consulted of the planning application, of which they have assessed the submitted documents and raised no objection as highlighted in Section 8.8 and 8.9 above subject to conditions.

**14.3.51** In so far as the details submitted as part of the outline element of the scheme the development is in accordance with Local Plan Policy GEN2 and the NPPF.

#### **14.4 C. Heritage & Archaeology**

**14.4.1** Policy ENV2 (Development affecting Listed Buildings) seeks to protect the historical significance, preserve and enhance the setting of heritage assets. Part 16 of the NPPF addresses the conservation and enhancement of the historical environment. Paragraph 196 of the Framework states that where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

**14.4.2** Immediately to the west of the site is Bury Lodge which is a Grade II Listed Building.

**14.4.3** The Conservation Officer at Place Services has stated that “...*the proposals would result in several adverse impacts to the settings of several designated heritage assets. While the existing site of Stansted Airport is not considered to make a positive contribution to the setting of the heritage assets, the existing utilitarian nature and low heights of the present buildings and the large open spaces have a neutral effect within the settings of many of the heritage assets.*” They go on to state that “*the ‘Proposed Height Parameters Plan’, the proposed development would result in the erection of buildings of substantial scale and massing, in particular Zone 1 to the north, visually impacting the wider setting of*

*several designated heritage assets.” They stated that in respect of the Listed Buildings of The Ash Inn, Warmans and Southview & The Nook, the proposed development would visually be intrusive as evident within Viewpoint 4. Due to separation distances between the heritage assets and the site it was concluded that the resultant harm to these assets to be **less than substantial and at the low end of the scale.***

**14.4.4** It was noted by the Conservation Officer that the proposed development, through its scale and massing, would detract from the wider rural setting and character of the heritage assets. But it was understood that the application is Outline with details of scale and appearance reserved, recommended that the heights should be minimised where possible and robust mitigation measures employed within any details following application.

**14.4.5** In terms of north of the site the Conservation Officer goes on to state that *“there is a cluster of designated heritage assets, this being North View & The Cottage, Avondale Cottage & Burton Cottage, The Thatch, Rennisons, The Haven & Vernons, Evergreen & Fieldside and Fourwinds. The existing site is not considered to positively contribute to the significance of the above heritage assets however the proposed development and its visual impact would fundamentally detract from the wider setting and rural character of the heritage assets, Zone One containing the tallest buildings, as evident from Viewpoint 2 and 3. The proposed development is therefore considered to result in less than substantial harm to the setting of these heritage assets, this harm being at the **low end of the scale.***

**14.4.6** *The statutory listed buildings of Bury Lodge Hotel and Barns to east of Bury Lodge Hotel are immediately adjacent to the site and are those most sensitive to change within their setting. The setting of the heritage assets has already been much eroded, the rural context of the listed buildings being adversely impacting by existing development, the wider setting and the rural character of the heritage assets has been much reduced to its more immediate environs. The proposals will result in additional harm to the setting of the designated heritage assets, the visual impact and enveloping nature of the proposed development would detract from their setting and the rural character of the site. **This harm is held to be less than substantial and at the middle of the spectrum. I do not consider there to be any harm to the significance of Ryders, Ryders Farmhouse and Rands.***

**14.4.7** The Conservation Officer concludes that *“the proposals are considered to result in less than substantial harm to several designated heritage assets, Paragraph 202 of the NPPF (2021) being relevant and contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This harm should be weighed against the public benefits of the proposal. The identification and the level of harm is in accordance with the applicant’s heritage assessment.”*

**14.4.8** Harm has been identified by the Conservation Officer although at the lowest level, to most of the identified heritage assets. Naturally the level of harm is stated to be slightly higher Bury Lodge barns. This harm must be weighed against any public benefits of the proposal as per Paragraph 202 of the NPPF. The proposals offer significant public benefits in the form of economic benefits and the creation of circa. 2000 new jobs. When one specifically refers to paragraph 202 of the NPPF, it is considered that these benefits outweigh the identified harm which is generally at the lower end of the spectrum of 'less than substantial harm'. Weight is added to the fact that the application site is designated for airport related development (and the associated built form that would bring) within the adopted local plan. Therefore, it is considered that the harm has already been accepted as the policy anticipates buildings of substantial built form to assist such airport related uses.

**14.4.9** The development of this site as proposed would thus not result significant harm to the detriment of the heritage assets of which the public benefits outweigh the harm in accordance with Policy ENV2 of the Adopted Local Plan and the NPPF.

**14.4.10** In terms of Archaeology the application site is likely to consist of archaeological artifacts as previous major fieldwalking programmes identified a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. The Airport was originally a WWII airfield and there is a high chance of surviving artifacts. It is stated that further work and a wider area needs to be agreed as part of the archaeological assessment and from what has been included within the ES submitted as part of the application. Therefore, a number of conditions have been suggested by ECC Archaeology should planning permission be granted. This is in accordance with Local Plan Policy ENV4 and Part 16 of the NPPF.

#### **14.5 D. Landscape & Nature Conservation**

**14.5.1** Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

**14.5.2** Paragraph 174 of the NPPF seeks to protect the natural environment. It seeks to protect and enhance valued landscapes, sites of biodiversity, minimising impacts on and providing net gains for biodiversity amongst other things.

**14.5.3** Paragraph 179 of the NPPF also emphasizes the importance of promoting the conservation, restoration and enhancement of habitats.

**14.5.4** Paragraph 180 of the NPPF goes onto state that "*(a) if significant harm to biodiversity resulting from a development cannot be avoided*



*(through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*

**14.5.5** **Landscaping:**

Paragraph 92 of the NPPF seeks to promote healthy and safe communities through social interaction. The scheme proposes to provide a creche, food and drink and amenity space such as picnic areas to serve the development. This is considered to accord with Paragraph 92. Landscaping is set as a reserve matter; however, all larger developments should be designed around a landscape structure. The proposals would include the retention and enhancement of hedgerows and trees along the boundaries of the site, which forms part of the applications parameters plans. This will help to provide natural screening of the development and enhance the public realm to enrich the public open spaces to achieve a better sense of wellbeing and place making for the future. Forming part of this provision it is proposed for trim trails, walking route, breakout amenity areas, MUGA and providing optimum view for occupants of the units to be designed into the scheme. Illustrative Landscape Masterplan drawing 32636-RSK-XX-XX-DR-LA-1000 Revision 05 illustrative scheme outlining these amenity provisions.



**14.5.6** A Landscape and Visual Impact Assessment together with an Arboricultural Assessment and 15-year Soft Landscape Maintenance and Management Plan has been prepared by RSK and submitted as part of the application by the applicant. This would provide the basis for

a landscape strategy that would be enhanced with the provision of open spaces on site that contribute to biodiversity enhancement. The plan submitted also outlines the biodiversity management Strategy for the management and maintenance of mitigation measures identified in the EIA process.

**14.5.7** The DAS has highlighted that the landscaping would aim to achieve the following objectives which has fed into the parameters plan;

- to retain existing trees and landscape features as is practical and ensure that those that are retained are adequately protected and integrated within the design;
- to deliver strategic landscape in order to screen the development from sensitive receptors;
- to enhance the amenity value of the site and provide an attractive and welcoming environment sympathetic with the existing landscape character of the area;
- to create a 'feel safe' environment for site users;
- to use ecological design principles with emphasis on increasing the diversity of habitat creation within the context of airfield safeguarding;
- to take account of the future maintenance requirements by careful selection of plant species and their relationship, with emphasis on achieving good establishment whilst minimising maintenance costs.

**14.5.8** In landscape terms the scheme has been treated as two areas whereby the nature of the landscaping alters to reflect this. This is stated to be reinforced with low level hedges. The proposed planting has been split into 7 types such as informal trees, street trees etc. this has been set out in the Design Code. An example of this would be that the planting on primary road would be larger stock of plants, that is visualised to be a treelined avenue that would have a positive visual impact, creating a sense of place.

**14.5.9** The landscape strategy identifies that the scheme can be split into four key strands;

- Visual Screening and Local Character - The parameters plan defines the strategic landscape areas which will be retained to form the bulk of the primary mitigation in terms of visual impact;
- Ecological Enhancement and Biosecurity - Opportunities for ecological enhancement will need to be balanced with the need to ensure that the landscape design minimises any potential bird strike hazard;
- Amenity Space - To utilise the site for the benefit of employees and visitors to the site;
- Visual Amenity - The design of the soft landscape across the site will consider the need to aid with waymarking by creating different characters through the use of differing palettes of plants across the site

**14.5.10** The nature of the landscaping would need to be appropriate for aviation safeguarding and would have to be in agreement with the aviation authorities. Also, it is proposed that compensation for the loss of any trees and hedgerow would be detailed at Reserved Matters stage.

**14.5.11** The submitted management plan sets out a 15-year plan for the management of the new landscaping following completion of the works, which would also include the addressing of failed landscape works. It also highlights a selective thinning process every set number of years to allow the growth of other trees.

**14.5.12** **Landscape Visual Impact Assessment**

The northern landscape boundary provides a visual barrier from properties located in Burton End and this is proposed to be maintained and enhanced through further landscape works. This is also proposed for the western boundary on Bury Lodge Lane.

**14.5.13** The Design Code states that *“To the north of the existing planting belt that runs around the perimeter of the airport, there is a large area of retained lowland meadow. This falls within the countryside protection area and as such will be retained and enhanced as part of the proposals with the area also utilised for amenity purposes.”*

**14.5.14** The parameters plan indicates a central area that is described as being a “village green” which would provide a central reference focal point.

**14.5.15** The Landscape Officer has been consulted of the application of which has said the following;

*“The extensive perimeter planting undertaken as part of the landscape masterplan for the first phase of the airport development has successfully matured proving an effective framework which would significantly ameliorate the visual impact the proposed development on the wider landscape.*

*The Landscape Visual Impact Assessment (LVIA) submitted by the applicant has been undertaken in accordance with the relevant guidance. It has been identified that there would be significant effects of the development, but these would be limited to localised visual receptors from Burton End, from the public rights of way around Birchanger and between Burton End and Tye Green, and from Bury Lodge.*

*The illustrative landscaping proposals include strengthening of screen planting to reduce the visual impact of the development on the setting of Bury Lodge listed buildings.*

*The visual impact of the proposed units on the wider landscape can be ameliorated by the application of an appropriate palette of colours and*

*finishes to claddings, which would be dealt with at the reserved matters stage if this current application is approved.*

*The submission includes a proposed height parameters plan showing the maximum building heights within identified zones in order to reduce the visual impact on the surrounding landscape and Bury Lodge.*

*The proposed widening of Round Coppice Road will impact on its character. The intended erection of a solid 2m high fence to protect the adjacent ancient woodland, Stocking Wood, from traffic pollution would significantly diminish the appreciation of the woodland from the road. The protection from traffic fumes afforded to the woodland flora by the fencing would be likely beneficial, but limited. Whilst the appearance of the fencing could be softened with planting, on balance, the introduction of such fencing would be visually detrimental.*

*The illustrative layout shows a number of existing trees to be removed. The total number of trees shown to be removed is 44 individual and 23 of the 55 groups of trees. 4 veteran oak trees are shown to be retained. Hedgerows within the main body of the site are shown to be removed. The trees and hedges proposed to be removed would not have a significant impact on the wider landscape.*

*The illustrative landscaping plan shows some hundreds of individual trees to be planted across the site, and additionally a relatively small area of new native species woodland is proposed to strengthen the existing perimeter woodland on the northern boundary. New hedge planting is also shown to be provided. The indicated tree and hedgerow planting would compensate for the trees and hedges removed to accommodate the development.”*

- 14.5.16** Overall, no objections has been raised by the Landscape Officer subject to conditions and the omission of the proposed fencing in front of the ancient woodland as a mitigation as this is not considered to be required from an environmental or aesthetic point of view. It is acknowledged that this is required in line with Ancient Woodland Assessment referenced below and details of which to be secured by condition to ensure acceptable design, should planning permission be granted.
- 14.5.17** Whilst a number of trees has been indicated to be removed on site is should be mentioned that this is as a result of many of the trees being of poor quality and likely to die in the near future being classified as Category C or U. Several veteran oak trees are proposed to be retained, design incorporated and protected.
- 14.5.18** A number of tree protection and mitigation measure prior to construction have been suggested within the Arboricultural Impact Assessment which would need to be adhered to.

**14.5.19** The proposed works to the trees subject to protection measures and the retention of identified trees is acceptable and in accordance with Local Plan Policy.

**Ecology;**

**14.5.20** The application site itself is not subject of any statutory nature conservation designation being located on airport land.

**14.5.21** There are ancient woodlands adjacent to the site as well as mature landscaping which forms a defensible boundary. Hatfield Forest is located less than 1km from the application site, which is a designated SSSI. Whilst the application site is located within the SSSI Impact Risk Zone it is considered that the nature of the development would be at low level in the level of impact it is likely to have on the SSSI. A Technical Briefing Note TN03: Assessment of Effects on Ancient Woodland has been produced and submitted as part of the application for consideration. Also, an Environmental Impact Assessment has been submitted as part of the application submission to assess at a higher level the impacts likely to result from the proposed development.

**Assessment of Effects on Ancient Woodland**

**14.5.22** Paragraph 180 of the NPPF states that “(c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons <sup>63</sup> and a suitable compensation strategy exists;*” Footnote 63 outlines what is considered to be exceptional reasons and states “*For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.*” Similarly, ENV3 also seeks to protect the loss of open spaces, other visually important spaces, groups of trees and fine individual tree specimens from development and will not be permitted unless the need for the development outweighs their amenity value.

**14.5.23** The technical note concludes that there will be no loss of ancient woodland resulting from the Proposed Development and following the implementation of suitable mitigation as set out in the note, it is considered highly unlikely to result in any loss or deterioration. Such mitigation measures include a proposed solid and vegetated air quality barrier alongside Round Coppice Road, introduction of management of nutrient tolerant plant species (such as nettle) in both woodlands. Restorative management proposed across the whole of Stocking Wood, which is in decline, will enhance woodland quality over and above the current situation, which represents a net benefit of the proposals. Veteran trees will be adequately protected in line with the Arboricultural Assessment and therefore not suffer any loss or deterioration.

**14.5.24** However, an element of trees in front of the ancient woodland is indicated on highway plans would need to be removed to allow for an improved access, bell mouth and visibility splays including highways improvements, also as part of its management. This area of landscaping however is not part of the ancient woodland and forms part of the highway verge. Nonetheless, the ancient woodland itself would have a separate management plan to the rest of the site.

**14.5.25** Paragraph 180 c is not considered to apply as a result however any impact to the woodland is thought to be minimal as it is highly unlikely that there would be any loss or deterioration to the Ancient Woodland following delivery of the mitigation measures proposed. The public benefits also would far outweigh any resultant harm.

**14.5.26** As stated elsewhere in the report due the proximity of the Airport and safeguarding requirements the nature of landscaping would need to be specific as to not create bird drawing habitats, such as the following;

*“• Creating dense vegetation that may provide roosting and nesting habitats for aviation-hazard bird species.*

*• Providing an abundant winter food supply in the form of fruits and berries.*

*• Creating standing water or watercourses that attract gulls and other waterfowl.*

*The following advice is offered in order to reduce the potential attractiveness of landscaping schemes to hazardous bird species.*

*• Planting density for woodland and thicket areas should be at wider centres to avoid creating dense thicket.*

*• Stands of trees with the potential to grow in excess of 20m should not be included in planting schemes.*

*• Large quantities of berry-bearing species should be avoided. Low numbers of berry-bearing plants may be dispersed amongst other if required.*

*• Wherever possible, open water should be eliminated from an aerodrome and its immediate surroundings.”*

**14.5.27** Amongst this care is stated to be taken to ensure that there is not an over reliance on one specie selection. Woodland and lowland meadow is proposed to be retained.

**14.5.28** Natural England have raised no objection to the application. The Landscape Officer however had raised concern over the fencing proposed as a mitigation along the frontage of the ancient woodland and

the visual impact this would have. Ecology however have not sought this as a required mitigation but has been identified pollution levels that could affect the woodland should the measure not be in place. Environmental Health however have asked that this measure is secured by conditioned should planning permission be granted.

- 14.5.29** Protective fence proposed in the ES statement to protect against pollutants. The build a solid fence with further vegetated barrier (further information provided in ES Volume 1, Chapter 4: The Proposed Development), aimed at mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice) as well as restorative management. Whilst the Landscape officer has stated whilst this seeks to protect the woodland it is detrimental to its appearance; it has been identified as part of the Technical Briefing Note Assessing the effects on the ancient woodland that in the absence of mitigation the air quality is likely to be significant over a small area of the woodland. The implications of Ammonia and Nitrogen deposits have the potential to reduce species diversity within the woodland. The solid air quality barrier provides a partial mitigation by reducing the sone of influence of the air quality effects in Stocking Wood and Round Coppice by 58% and 75% respectively. Further mitigation would be required by planting a vegetation barrier between the road and the fence. Any further mitigation would be through management of nutrient tolerant planting such as nettles. The Woodland is stated to be currently in decline and the introduction of restorative management would assist in reversing the situation providing a net benefit to result from the development.

**Other Ecological Matters**

- 14.5.30** The Planning Statement says “*Likely significant impacts on ecology and biodiversity are assessed within the Environmental Impact Assessment. The chapter considers the impacts on Site and within the surrounding areas, identifying, where appropriate, suitable mitigation measures to prevent, minimise or control likely significant adverse effects.*”

*6.52 The Chapter provides a table that outlines the significance of potential effects on numerous ecological features. The effects range from negligible to moderate. With sufficient mitigation, no impacts are considered to be significant and should therefore be acceptable in this respect.”*

- 14.5.31** An ecological assessment and surveys of the site had discovered bats foraging along the woodland edges, grass snakes in the scrub behind Bury Lodge Cottages and badger setts in the woodlands, also suitable habitats for nesting birds.
- 14.5.32** The scheme would result in the loss of areas of semi-improved grassland (which is partly classified as Lowland Meadow Priority habitat). The proposed development however would provide improvement to the existing retained semi-improved grassland, significant woodland and hedgerow planting, which would improve

habitat quality. New bat roosting opportunities would need to be created with the consideration of aviation safety measures. Badger habitats would be improved as part of the development and proposed mitigation measures.

**14.5.33** Place Services ecologist have reviewed the supporting Preliminary Ecological Appraisal submitted in support of the proposals in detail and confirm that they have no objections with the proposals and that the development can be deliverable subject to appropriate mitigation measures being secured and implemented in full. Place Services also support the proposed biodiversity enhancements which have been recommended to secure measurable net gains for biodiversity. It is suggested that if permission is granted, biodiversity enhancement and mitigation measures should be secured by a condition of any consent.

**14.5.34** Therefore, in conclusion of the above the proposed development subject to the identified mitigation measures discussed above is considered acceptable and in accordance with Local Plan Policies GEN7 and the NPPF.

#### **14.6 E. Amenity**

**14.6.1** The NPPF requires a good standard of amenity for existing and future occupiers of land and buildings. Policies GEN2 and GEN4 of the Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties.

**14.6.2** Appearance, layout and scale are set for reserve matters and thereby would need to be assessed as part of future reserve matters applications.

#### **Noise**

**14.6.3** In terms of noise Local Plan Policy ENV11 states “*Noise generating development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.*” Paragraph 185 of the NPPF highlights that;

*“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*(a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life 65 ;*



*(b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

*(c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

**14.6.4** Paragraph 174 of the NPPF also seeks to protect the natural environment and discusses amongst other things protecting against noise pollution.

**14.6.5** It has been addressed above in the report that the sensitive uses are in the airports/applicant's control of which Bury Lodge Barns is in a commercial use, the two Bury Lodge Cottages are proposed to be demolished as part of this development. Little Bury Lodge Farm is reported to be blighted by a fire recently and remain vacant at present, nonetheless, remains in MAGs ownership for rental. Due to the nature of the residential properties and the designation of the application site the noise generation from the proposed scheme is in principle not considered to be an issue.

**14.6.6** A Noise and Vibration Assessment that has been provided as part of the application submission within the Environmental Statement. Both noise from construction and operational activities including plan has been assessed. It has been specified in paragraph 8.97 of the assessment that there is no likely residual noise or vibration effects has been identified. Whilst this has been assessed as the application is outline further assessment would need to be undertaken as part of the Reserved Matters applications.

**14.6.7** Other than the noise and vibration from the proposed operational uses the noise from the substation that is required to support the development which is proposed to be located beyond the Bury Lodge Barn the other side of existing landscaping/woodland, is encapsulated by the woodland and the additional landscaping is proposed as part of the Strategic Landscape and the proposed commercial units siting.

**14.6.8** Environmental Health have been consulted of the application of which they have raised no objections subject to conditions (full details of their response is highlighted above in Section 9. They have said the following:

*“The overall conclusion is that this service has no objection in principle to this development. However due to the scale and complexity of the scheme there will need to be suitable conditions attached to any consent granted at the reserve matters stage to ensure that there are no adverse environmental impacts arising from both the construction phase and the completed development. To this end we would recommend that there is liaison between the Councils planners to draft and secure appropriate conditions.”*

**14.6.9** However, due to the proposed construction and demolition, measures are required to protect local amenity and human health as a result. This is suggested to be in the form of a Construction Environmental Management Plan which can be conditioned.

**14.6.10** In terms of noise various conditions have been suggested by Environmental Health and have been updated to reflect British Standard's around the commercial uses, the crèche and the proposed substation in order to protect the amenity of the surrounding countryside and the nearby residential properties and business.

**14.6.11** As well as the above it is considered that a detailed condition on plant prior to installation is imposed on a phase-by-phase basis.

#### **Air Quality**

**14.6.12** In terms of air quality other than the fence which is suggested around the ancient wood land to protect it from pollutants, the Environmental Health Officer has suggested the following mitigation measures conditions relating to securing a Travel plan, penalty system referred to in Paragraph 9.86 in the ES Air Quality Chapter, and EV charging points to facilitate and mitigate the development.

**14.6.13** An Air Quality Chapter within the EIA identifies the likely impacts from the proposed operational development and during the demolition and construction period. It has been concluded within this statement that *"that for all receptors bar one, the air quality effects have been identified as being negligible or not significant. With the implementation of mitigation measures identifies within the chapter, the moderate adverse effect determined for receptor R46 (a residential property on Dunmow Road located within the Bishop's Stortford AQMA), the air quality is modelled to improve over time and negligible by 2032."*

**14.6.14** The EHO stated that *"the applicant is relying on long-term air quality improvements due to the increased uptake of electric vehicles across the UK, therefore, in support of this, further details for supplying electric vehicle charge points across the site needs to be supplied as more specific details are known about the occupiers of the development."* Comments received from East Herts EHO had concurred with UDC EHO and have recommended a similar condition regarding further the air quality details to be submitted on the impacts of the Bishop Stortford receptor and AQMA.

#### **Lighting**

**14.6.15** The lighting needs to be balanced in terms of the needs to make the site safe and secure to reduce crime and prevent health hazards, prevent pollution and risks to the operation of the main airport. A Lighting Principles /Strategy report has been undertaken and submitted as part of the application. This highlights that the likely type of lighting proposed would be road lighting, public amenity in core amenity

spaces, decorative lighting and commercial operational and security lighting. Operations that are more complex and hazardous would require more lighting than others, in line with industry standards. It makes clear that excessive lighting would not be energy efficient and would have a negative impact upon the local environmental and ecology, in terms of pollution and nuisance.

**14.6.16** The Lighting report has identified the sensitive receptors for consideration. Visual receptors have been identified as being Bury Lodge to the west and Burton End to the northeast. In terms of ecology receptors these have been defined as being Stocking Wood to the Southwest and the existing woodland to the western and northern boundaries.

**14.6.17** The report understands that the application is outline and therefore the details are likely to alter thereafter. Areas subject to lighting but not limited to are;

- Pedestrian areas and walkways
- Roads and circulation areas
- Car and lorry parks
- Loading and unloading areas
  
- The highway includes the cycle path that starts at Bury Lodge and goes north to south between the M11 and the western side of the car park.

**14.6.18** Appropriate designed lighting would be decided as the development evolves. Any lighting overspill from the perimeter of the site would be controlled in terms of intensity, level of spill and upward light output. The lighting design would need to work to the principles of right type of lighting, right time for the lights to be on and off, right location for the lighting, and the right type of energy efficient lighting on a controlled system. Ecological sensitive lighting needs to be considered to protect sensitive areas namely along the ancient woodland and the strategic landscaping along Bury Lodge Lane/ Round Coppice Road.

**14.6.19** A Health Impact Assessment has been undertaken and submitted as part of the application. The assessment looked at various key health markers relating to and what were considered in the assessment. All of the criteria scoped in for consideration has been individually addressed within this report with any relevant mitigation considered.

**14.6.20** It is considered that there are identified moderate adverse environmental impact from the scheme which can be mitigated via condition or Section 106 Agreement. The residual impacts must then be weighed against the benefits of the scheme.

**14.7**        **F.     Highways**

**14.7.1** NPPF Paragraph 110 states;

*“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*(a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*(b) safe and suitable access to the site can be achieved for all users;*

*(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code [46](#); and*

*(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

**14.7.2** The NPPF goes on to state in Paragraph 111 *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* Paragraph 112 seeks to give priority to pedestrian and cycle movement, creating safe spaces, efficiency of emergency vehicles and enabling charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

**Access:**

**14.7.3** Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and encourage movement by means other than a vehicle.

**14.7.4** Whilst the application is outline approval is sought for the main access into the site and a separate access sought for the sub-station to serve the scheme via Round Coppice Road and Bury Lodge Lane.

**14.7.5** Footways are stated to be a minimum of 2m in width and 3.5m where it is a shared cycleway/footway on the main spine road through the site.

**Parking:**

**14.7.6** Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking

places proposed is appropriate for the location as set out in the Supplementary Planning guidance 'Vehicle Parking Standards'.

**14.7.7** If outline consent were to be granted, then a condition would be imposed to ensure that appropriate parking and cycling provision is provided across the scheme and assessed at Reserved Matters stage. Nonetheless, it has been stated that 5% accessible parking bays would be provided near office entrances, the cycle parking would be secured and be provide for each building. It is estimated in the submission that there is likely to be some 400 cycle parking spaces across the site however detailing of this would be a reserved matters consideration.

**14.7.8** It has been stated that approximately 20% of all car parking spaces would have EV (electric charging) provision. And that EV parking spaces would be close to the front building entrances. Environmental Health are seeking that an additional 40% EV charging points are provided site wide, and have sought for more in their recent updated recommended conditions (80%). Whilst it is agreed with EHO that the 20% is not considered to be sufficient there is currently no policy provision to rely on, and this aspect remains an element that would need to be further considered at reserved matters stage, however a blanket wide condition would need to be set at outline stage to seek at least a 20% installation and a further percentage of EV charging points wiring to be provided to allow installation at later date. Whilst there is currently no policy hook as such the requirement of a high level of EVC is considered important as the development greatly relies on air quality mitigation through the progressive long term national policy adoption/movement towards electric vehicles. The provision of EVC is in accordance with NPPF paragraphs 107 and 112.

**Highways Impact:**

**14.7.9** A Transport Assessment has been undertaken by Vectos and submitted in support of the application. Vectos have been actively in discussions with the three Highway Authorities affected by the development, Manchester Airport Group (also known as STAL) and ECC Highways who are responsible for the local road network and National Highways who manage the M11 and A120, who have intern assessed the Transport Assessment and Travel Plan Framework.

**14.7.10** The submitted Transport Assessment highlighted that the expansion of passenger numbers to the Airport identified a series of highway works to mitigate that development on M11 J8 in 2028. The TA states "*Beyond 2028 (2032/2033 Scenario) assessment scenarios have demonstrated that further additional works, as shown in blue on the image below, may be required to M11 J8 to reduce the queuing on A120 westbound. These are not solely attributable to traffic demands from Land to the North of Stansted. Therefore, this improvement would be brought forward at an appropriate time during the Land to the North of Stansted, development depending on the progress of both Stansted Airport Expansion and Land*

*to the North of Stansted and other developments and the overall performance of the highway network which would be subject to a monitoring strategy the details of which would need to be agreed with the authorities in due course.”*

**14.7.11** The TA assessed the proposed development’s cumulative impact on junctions in consideration of the airport’s passenger number being 35mppa and if the recent airport consent is implemented involving the increase in passenger numbers to 43mppa. The TA identified the following;

- The local highway network under the control of MAG (eg Round Coppice Road/First Avenue) performs within capacity based on the analysis undertaken
- Priory Wood Roundabout in 2028 without any mitigation but with the development traffic experiences significant delays on Round Coppice Road as vehicles exit the proposed development onto Priory Wood Roundabout, particularly in the PM Peak. It should be noted that this is an issue without the proposed development traffic (e.g. due to airport expansion and other growth) but is worsened by the proposed development;
- In 2028 a further assessment has been undertaken with the addition of the mitigation at Priory Wood Roundabout and the Stansted Interim Plus works to M11 J8. This has established that these works allow the strategic highway network to maintain its performance and allow all of the proposed development vehicles to enter the network. Hence, in the year of opening (full completion of Northside), the mitigation required is the Stansted Interim Plus Works (MAG works) and the improvements to Priory Wood Roundabout.
- The strategic road network in 2032/2033 assumes the full build out of Stansted Airport to 43mppa plus wider growth and associated mitigation (Stansted Interim Plus Works). Without the proposed development the network is subject to some delays and latent demand (i.e. traffic that cannot get through the network within the peak hour). With the addition of the proposed development and the mitigation at Priory Wood Roundabout the network performs in a similar fashion to the scenario without the Proposed Development but queues on the A120 westbound remain high.
- As a result of the above analysis, additional works to M11 J8 (shown in blue above) have been designed. These works reduce the queuing on the A120 westbound and mitigate the effect of the proposed development

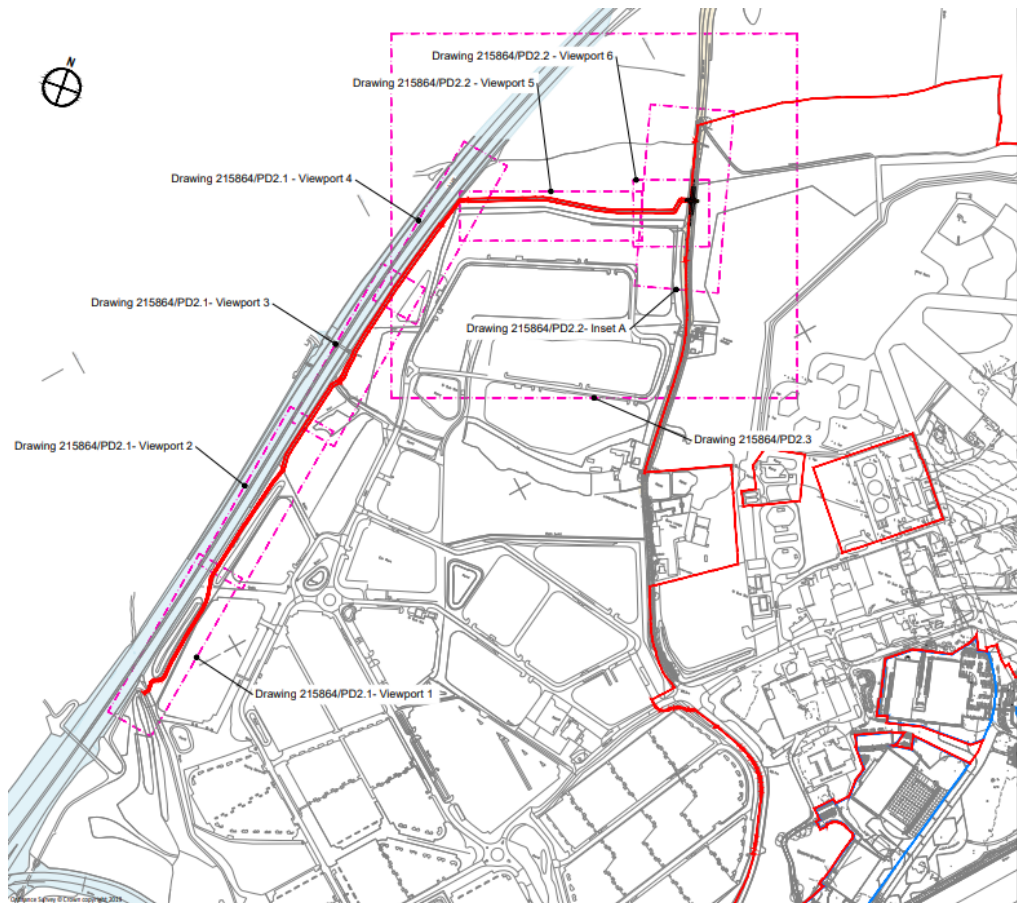
- However, the need for these works is not entirely attributable to the proposed development. Therefore, there will need to be further discussions with the stakeholders over the appropriateness, timing and funding of these improvements.

**14.7.12** As well as improvements to the highway network to cater and mitigate the impacts from the proposed development, works are also proposed to improve pedestrian and cyclist and those arriving via public transport access to the site. This forms part of the access strategy and encouraging alternative forms of sustainable transport to the site. It is stated that all access associated with the Airport would be maintained and protected during the construction period and the operational period in order to safeguard the functioning of the airport.

**14.7.13** The following highway works as a result of the development to mitigate and improve access are proposed;

- Improvement and widening works to Bury Lodge Lane/Round Coppice Road;
- No right hand turn for HGVs out of the site towards Stansted Village together with CCTV monitoring;
- Enhanced bus service;
- Two Bus stops;
- Improvements of First Avenue;
- Prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue for safety reasons;
- Provision of cycle link from the site to the junction with PROW 45/62 with provision of Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B
- Bridleway 45/60 to be surfaced;
- A commuted sum for maintenance to be provided for new surface of the bridleway and any part of the cycleway to be adopted by the highway authority;
- Provision of pedestrian/cycle signage;
- junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 15864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 24 November 22

**14.7.14** The diagram below indicates the PROW connectivity proposed above, as indicated in Drawing 215864/PD02 Revision F;



- 14.7.15** As part of the internal road works, First Avenue is proposed to be reconfigured into three lanes to prevent vehicle queuing entering units.
- 14.7.16** A Travel Plan Framework has been submitted as part of the application to facilitate in promoting sustainable modes of travel through the enhancement of pedestrian, cycle paths and shuttle bus service provision. The local cycle, bridleway and footpath network has been identified as well as the proposed improvements to improve the sites connectivity with the wider area. Framework highlights the connectivity of the site to the nearby Stansted railway station and its wider connects to London, Cambridge, Hertfordshire, Norwich, Peterborough and Birmingham.
- 14.7.17** In terms of assisting in reducing and improving the sustainability of the scheme Environmental Health also support the requirement to secure a Travel Plan and EV charging points, in accordance with NPPF Paragraphs 112 (e) and 113, local Plan Policy GEN2, GEN1 and ENV13.
- 14.7.18** The Transport Assessment concluded that the transport policies are complied with in the following terms;
- Appropriate opportunities to promote sustainable transport modes have been proposed based on the type of development and its location;



- Safe and suitable access to the site can be achieved for all users;
- Any significant impacts from the development on the transport network or on highway safety, have been mitigated to an acceptable degree;
- The residual cumulative impacts are not considered severe; and
- The proposals are acceptable in design terms.

**14.7.19** This has been reinforced by highway comments from the three governing Highway Authorities National Highways, Essex County Council and STAL.

**14.7.20** Following thorough discussions between the applicant and the three highway authorities, and further information being submitted, including additional mitigation in the form of contributions to traffic schemes in Stansted Mountfitchet and Takeley; the imposition of a cap on the number of vehicles entering or leaving the site during the AM and PM peaks, which will be monitored at the expense of the developer by cameras and penalties incurred for exceedances, no objections have been raised subject to conditions and other mitigation measures to be secured via a Section 106 Obligation relating to, amongst other things those specified above in paragraph 14.7.13.

**14.7.21** As a result and following thorough consideration the principle of the proposed development is acceptable in highways terms subject to mitigations and is in accordance with Local Plan Policies GEN1, and GEN2, also the NPPF Paragraphs 107, 110, 111, 112 and 113.

**14.8 G. Fuel Farm with associated COMAH restrictions**

**14.8.1** As stated above in Section **14.3.34-37** of the DAS states that the layout has been assessed in land use terms based on methodology produced by the Health and Safety Executive (HSE) with respect to the COMAH (Control of Major Accident Hazards) Regulations and the proximity of the oil tanks within the site.

**14.8.2** Health and Safety Executive raise no objections to the development subject to conditions relating to the relocation of sensitive uses.

**14.8.3** Essex Fire and Rescue raise no objections subject to the scheme complying with Building Regulations.

**14.9 H. Contamination**

**14.9.1** Local Plan Policy ENV14 seeks *“Before development, where a site is known or strongly suspected to be contaminated, and this is causing or may cause significant harm, or pollution of controlled waters (including groundwater) a site investigation, risk assessment, proposals and timetable for remediation will be required.”*

**14.9.2** Due to the historical use of the site, there is the potential for contamination on site. As a result, a ground condition survey has been undertaken of which it is not considered that there is unsuitable pollutants which would prevent the development from occurring.

**14.9.3** Environmental Health have been consulted and have stated that;

*“This has been considered and is outlined in Chapter 16: Ground Conditions. An initial Desktop study has been undertaken to assess the potential extent and receptor pathways of land contaminants.*

*The following receptors have been considered within this assessment:*

*Existing Receptors*

*Human Health*

- *Current site users (Low Sensitivity);*
- *Maintenance workers (High Sensitivity); and*
- *Contractors (High Sensitivity).*

*Controlled Waters*

- *Shallow groundwater within the Made Ground (Low Sensitivity);*
- *Lowestoft Formation (Secondary Undifferentiated Aquifer) (Low Sensitivity);*
- *Glacial and Kesgrave Sands and Gravels (Secondary (A) Aquifer) (Medium Sensitivity);*
- *Surface water features – Balancing Pond A (Low Sensitivity); and*
- *Surface water features – Pincey Brook, Bury Lodge Stream, Great Hallingbury Brook and the River Stort (High to Medium Sensitivity).*

*Introduced Receptors*

*Human Health*

- *Future site users (Low Sensitivity);*
- *Maintenance workers / contractors (High Sensitivity); and*
- *Demolition and construction workers (High Sensitivity).*

*Other (Below Ground Services)*

- *Potable water supply pipes (High Sensitivity); and*
- *Buried concrete (High Sensitivity).*

*The baseline conditions have been summarised with details provided in the Volume 2, Appendix: Ground Conditions – Annex 1 of the Environmental statement.*

*There are proposed mitigation, monitoring and residual measures to mitigate the potential effects to current site users and worker in the demolition and construction phase and to break any pollutant linkages. In particular the completion of a Phase 2 Contaminated Land Ground Investigation and the production of a Generic Quantitative Risk Assessment (GQRA) to assess the ground current conditions and the extent of any contamination present within the site; and to facilitate ground gas monitoring and confirm the ground gas regime.*

*Any areas of identified contamination will need to be identified and then appropriately remediated or mitigated. This could be in the form of removal off site, treatment, or mitigation employed such as the placement of a clean soil cover layer to form a suitable barrier in accordance with BRE Report 465 ('Cover systems for land regeneration – thickness of cover systems for contaminated land')<sup>11</sup>. This would need to be completed under a Remediation Method Statement and verified in a Validation Report. The Validation Report will be required to ascertain that the remediation measures (if required) have been undertaken satisfactorily and that the site no longer represents a risk when the Proposed Development is completed. This will need to be conditioned at the reserve matters stage.”*

**14.9.4** It is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. In accordance with Policy ENV14 of the adopted Local Plan this can be mitigated using conditions should planning permission be granted.

**14.10 I. Flooding**

**14.10.1** The NPPF states that inappropriate development in areas of high-risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plan Policy GEN3 seeks

**14.10.2** Flood Risk and Drainage has been covered within the EIA of which a Flood Risk Assessment has been appended together with SUDs and Drainage Strategy.

**14.10.3** A check of the Environmental Agency's website and the Councils policy maps has identified the site as being located in Flood Zone 1. The Framework indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exception testing.

**14.10.4** There is existing drainage pond just outside the redline which forms part of the 'Urban North' surface drainage strategy. This is whereby clean water after going through interceptors is discharged into a tributary to Great Hallingbury Brook.

**14.10.5** The Design Code states that the surface water infrastructure for building plots is proposed to be designed so that each plot is attenuated to its equivalent of Greenfield run-off rate. This is likely to be done through surface water attenuation;

- Below ground crate storage
- Oversized pipe storage

- 14.10.6** Due to the close proximity of the airport and bird strike risk it is not possible to consider detention basins, ponds or swales in accordance with the proposed Bird Hazard Management Plan.
- 14.10.7** Foul water drainage is to be designed to accommodate the appropriate flows from each plot. The Design Code goes on to state that the foul network will be designed to discharge by gravity where possible. Where this is not practicable, it may be appropriate to utilise package pumping stations within individual plots to pump to the communal foul network. The communal foul network for the site is to discharge to the public sewer network. Where it is not possible or practicable to make a connection to the public sewer network by gravity, a pumping enclosure will be used.
- 14.10.8** In respect to drainage, the application is supported by a Flood Risk Assessment & Sustainable Drainage Strategy it has been concluded that residual effects from the development would not be significant and environmental terms.
- 14.10.9** Essex County Council who are the Lead Local Flooding Authority confirm that they have reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application and concluded that they have no objections to the granting of planning permission based on imposing conditions if permission were to be consented.
- 14.10.10** Therefore, the scheme is in accordance with Local Plan Policy GEN3 and the NPPF.
- 14.11 J. Community Uses**
- 14.11.1** Local Plan Policy LC1 relating to Loss of Sports Fields and Recreational Facilities states “Development will not be permitted if it would involve the loss of sports fields or other open space for recreation, including allotments. Exceptions may be permitted if either of the following applies: a) Replacement facilities will be provided that better meet local recreational needs; b) The need for the facility no longer exists. Policy LC3 of the adopted Local Plan stipulates that community facilities will be permitted on a site outside settlement boundary limits subject that there is a demonstrated need for the facility, the need of the facility cannot be met on a site within the settlement boundary and that the site is well related to the settlement.
- 14.11.2** It is acknowledged that the proposed development would result in the loss of playing field pitches on site, and although on private land and in private ownership, would need to be compensated through re-provision/mitigation unless proven not to be needed.
- 14.11.3** The applicant does not propose the facility is not needed. Thus, Sport England requires certainty of an identified relocation site for the

Elsenham Youth Football Club (EYFC) and indication that it is possible to gain planning permission for a replacement facility within a reasonable timescale so that the football club at no point would be homeless. Stansted Mountfitchet Parish Council (SMPC) proposed a location that it would like the facility to be relocated. This was explored but is not feasible and would not have provided the comfort that Sport England require. A Community Use Agreement would need to be in place allowing the EYFC priority, the school and then wider community use of the improved formalised pitches. The facility would be managed and owned by the school and ECC as landowners. The Community Use Agreement would accord with Local Plan Policy LC2 which seeks that, amongst other things, sport facilities should allow access to all sections of the community.

- 14.11.4** The Community Use Agreement would be managed by the school SMPC, Sport England and the Football Foundation to ensure that the Agreement functions properly and meets the required needs. In addition to this an Improvement Scheme to Elsenham Recreation Ground Playing Field is proposed
- 14.11.5** Sport England have sought for a fall-back position should the 3G pitches not be able to come forward (note, that it would require planning permission itself) or the Improvement scheme is not achievable for whatever reason which may allow Stansted Parish to further assist in the matter.
- 14.11.6** Further to this whilst Sport England has actively played a part in the negotiations in the mitigations measures, they still have concerns, however they are objecting as the mitigation requires more certainty and to better meet their policies. Notwithstanding this they have removed their Directive objection which allows a departure to their policy. In consideration of the scale of the development and the nature of the playing fields, plus the mitigation package secured, the proposed development would accord with Local Plan Policies LC1, LC2 LC3 in so far as the scope of this development and Local Plan Policy GEN6 for mitigating the development.
- 14.11.7** With regards to the displacement of the Air Corp the applicant is actively working with them to relocate them to alternative accommodation of which the lease has been lengthened to facilitate this. This is a contractual / lease matter and not a material planning consideration. Whilst the applicant has no obligation under the planning regime to re-provide a facility for the Air Corp, officers welcome positive discussions between the two parties.
- 14.11.8** Similarly, the displacement of the Border Control Point (BCP) and representations submitted by Fedex and Chamber of Commerce on the matter is a contractual matter. The BCP is stated to be managed and run by a private commercial organisation which is concerned with the importation of live animals and animal by-products and products of

animal origin. The applicant has also extended the lease to allow further discussions and time regarding its relocation between the BCP and the Airport itself and continuation of trade elsewhere on the airport.

**14.11.9** It should be noted that outside of the planning application the lease for the football pitches, Air Corp and the BCP could be terminated at any point without recourse relating to planning.

## **14.12 Planning Obligations**

**14.12.1** Policy GEN 6 relates to Infrastructure Provision to Support Development. It seeks "*Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such Uttlesford Local Plan – Adopted January 2005 16 provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority.*" Paragraph 57 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations. The following identifies those matter that the Council would seek to secure through a planning obligation, if it were proposing to grant it permission.

**14.12.2** As part of the mitigation of the proposed development the following mitigation measures are proposed;

- Securing local training programmes/initiatives
- A commuted sum for maintenance of £31.83 per m<sup>2</sup> to be provided for surfacing of the bridleway and any part of the cycleway to be adopted by the highway authority
- Provision of shuttle/bus service and bus strategy
- Vehicle Cap with monitoring and penalty system in peak hours (with peak hours defined)
- £25k towards Stansted Mountfitchet Scheme to facilitate traffic monitoring, and reduce impact of HGVs
- £75k towards Takeley Four Ashes Junction
- Workplace Travel Plan
- Provisions at Forest Hall School 3G Artificial Grass Pitch and supporting changing and car/cycle parking facilities
- Alternative Playing Field Mitigation Scheme with an alternative Recreation Ground Playing Field Improvement Scheme
- Elsenham Youth Football Club Relocation Scheme

- 14.12.3** The Creche facility is not a requirement from ECC Education however forms part of the application should the development raise a need/demand for such a facility therefore it is not considered to be necessary to form part of the secured S106 package or mitigation in accordance with the Regulation 122 and Policy GEN6.
- 14.12.4** With the exception of Stansted Parish Council, in the main the statutory consultees have not raised any objections subject to the above mitigations and others that could be conditions such as ecological impacts, air quality, aerodrome operations and noise should planning permission be granted.
- 14.12.5** In view of the above, it is evident that the necessary infrastructure can be provided to meet the needs of the development, in accordance with Policy GEN6 of the Local Plan.

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

**15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

**15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

### **15.2 Human Rights**

**15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

## **16. ENVIRONMENTAL STATEMENT**

**16.1.1** The Town and County Planning (environmental Impact Assessment) Regulations 2017 as amended states the following procedures amongst others;

**16.1.2** ***Prohibition on granting planning permission or subsequent consent for EIA development***

*3. The relevant planning authority, the Secretary of State or an inspector must not grant planning permission or subsequent consent for EIA development unless an EIA has been carried out in respect of that development.*

**16.1.3** ***Consideration of whether planning permission or subsequent consent should be granted***

*26.—(1) When determining an application or appeal in relation to which an environmental statement has been submitted, the relevant planning authority, the Secretary of State or an inspector, as the case may be, must—*

*(a) examine the environmental information;*

*(b) reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account the examination referred to in sub-paragraph (a) and, where appropriate, their own supplementary examination;*

*(c) integrate that conclusion into the decision as to whether planning permission or subsequent consent is to be granted; and*

*(d) if planning permission or subsequent consent is to be granted, consider whether it is appropriate to impose monitoring measures.*

*(2) The relevant planning authority, the Secretary of State or the inspector, as the case may be, must not grant planning permission or subsequent consent for EIA development unless satisfied that the reasoned conclusion referred to in paragraph (1)(b) is up to date, and a reasoned conclusion is to be taken to be up to date if, in the opinion of the relevant planning authority, the Secretary of State or the inspector, as the case may be, it addresses the significant effects of the proposed development on the environment that are likely to arise as a result of the proposed development.*

**16.1.4** ***Co-ordination***

*27.—(1) Where in relation to EIA development there is, in addition to the requirement for an EIA to be carried out in accordance with these Regulations, also a requirement to carry out a Habitats Regulation Assessment, the relevant planning authority or the Secretary of State, as the case may be, must, where appropriate, ensure that the Habitats Regulation Assessment and the EIA are co-ordinated.*

*(2) In this regulation, a “Habitats Regulation Assessment” means an assessment under [F1] regulation 63 of the Conservation of Habitats*



*and Species Regulations 2017] (assessment of implications for European sites and European offshore marine sites).*

**16.1.5** An Environmental Impact Assessment has been submitted as part of the planning application for consideration. The various studies have been undertaken and considered of which out of the following the topics in bold were scoped into and formulates the EIA;

- **Socio-Economics;**
- Health;
- **Traffic and Transport;**
- **Noise and Vibration;**
- **Air Quality;**
- Light Pollution;
- **Ground Conditions;**
- **Land Take;**
- **Archaeology;**
- **Water Resources, Drainage and Flood Risk;**
- **Landscape and Visual;**
- **Built Heritage;**
- **Climate Change;**
- **Greenhouse Gas Emissions;**
- **Ecology;**
- Waste; and
- Major Accidents, Vulnerability and Natural Hazards

**16.1.6** In accordance with the Regulations the relevant consultees have been consulted of the EIA of which their responses have been outlined in Sections 8, 9 and 10 above.

**16.1.7** In assessing the impact of the proposed development, the effects of the development on various aspects has been defined as either 'negligible', 'minor', 'moderate' or 'major' in scale and 'neutral', 'beneficial' or 'adverse' in nature. Once the effect has been identified, the assessment then determines whether the effect is considered 'significant' or 'not significant'. The Environmental Statement (ES) says that *"if a significant adverse effect is identified, measures are required to reduce or remove the effect; these measures are referred to as 'mitigation measures'. Once the mitigation measures have been identified, the effect is re-assessed to understand whether the scale of the effect has changed because of the mitigation measures."*

**16.1.8** The cumulative impacts have been assessed of which the extent of impact has been considered with and without the development being built out together with other committed developments in the locality.

**16.1.9** The ES identifies the site, the extent of the proposed development and the localities environmental constraints. As part of this various sensitive receptors have been identified. The table below defines these sensitive receptors;

**Table 2 Sensitive Receptors**

Topic	Key Receptor Groups
Socio-Economics	<ul style="list-style-type: none"> <li>Construction Employment and the local economy; and</li> <li>Operational Employment and the local economy.</li> </ul>
Traffic and Transport	<ul style="list-style-type: none"> <li>Pedestrians and cyclists; and</li> <li>Highway Links / Junctions.</li> </ul>
Noise and Vibration	<ul style="list-style-type: none"> <li>Residential, and hotel uses within close proximity to the site including:                             <ul style="list-style-type: none"> <li>AP1 – Residences to east at Burton End;</li> <li>AP2 – Residences to east on Bury Lodge Lane around the Ash Public House;</li> <li>AP3 – Residences to northeast on Bury Lodge Lane;</li> <li>AP4 – Residences to north on Bury Lodge Lane;</li> <li>AP5 – Tall Trees Caravan Park to northwest; and</li> <li>AP6 – Bury Lodge and Bury Lodge Farm.</li> </ul> </li> <li>Non-residential uses within close proximity to the site including:                             <ul style="list-style-type: none"> <li>Novotel Stansted and Stansted College; and</li> <li>The Tall Trees Caravan Park.</li> </ul> </li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>Residential properties;</li> <li>Ancient Woodland Sites (Stocking Wood and Round Coppice); and</li> </ul>
Topic	Key Receptor Groups
	<ul style="list-style-type: none"> <li>Locations within the development and nearby which are sensitive to dust soiling during construction.</li> </ul>
Climate Change	<ul style="list-style-type: none"> <li>The Global Climate</li> </ul>
Ecology	<ul style="list-style-type: none"> <li>Hatfield Forest Site of Special Scientific Interest, National Nature Reserve and Country Park;</li> <li>Stocking Wood and Round Coppice Local Wildlife Sites;</li> <li>Stocking Wood and Round Coppice Ancient Woodland Sites;</li> <li>Broad-leaved semi-natural woodland;</li> <li>Semi-improved neutral grassland and Lowland Meadow;</li> <li>Hedgerows;</li> <li>Ponds;</li> <li>Bats;</li> <li>Badgers;</li> <li>Reptiles; and</li> <li>Breeding Birds.</li> </ul>
Archaeology	<ul style="list-style-type: none"> <li>Prehistoric remains;</li> <li>Roman remains;</li> <li>Early medieval remains;</li> <li>Later medieval remains, comprising boundaries or features associated with Stansted Deer Park and agricultural field boundaries; and</li> <li>Post-medieval remains, associated with Stansted World War II Airfield and agricultural features and footings of a farmstead.</li> </ul>
Built Heritage	<ul style="list-style-type: none"> <li>Bury Lodge Hotel, Bury Lodge Lane (Grade II Listed Building);</li> <li>Barns to the east of Bury Lodge Hotel (Grade II Listed Building);</li> <li>The Ash Inn, Burton End (Grade II Listed Building);</li> <li>Avondale Cottage &amp; Burton Cottage, Burton End (Grade II Listed Building);</li> <li>North View &amp; The Cottage, Burton End (Grade II Listed Building);</li> <li>The Thatch, Burton End (Grade II Listed Building);</li> <li>Rennisons, The Haven &amp; Vemons, Burton End (Grade II Listed Building);</li> <li>Evergreen &amp; Fieldside, Burton End (Grade II Listed Building);</li> <li>Fourwinds, Burton End (Grade II Listed Building);</li> <li>Warmans, Burton End (Grade II Listed Building);</li> <li>Southview &amp; The Nook, Burton End (Grade II Listed Building);</li> <li>Ryders, Burton End (Grade II Listed Building);</li> <li>Ryders Farmhouse, Burton End (Grade II Listed Building); and</li> <li>Rands, Burton End (Grade II Listed Building).</li> </ul>
Landscape	<ul style="list-style-type: none"> <li>The Application Site;</li> <li>Stansted Airport;</li> <li>Stort River Valley;</li> <li>Broxted Farmland Plateau; and</li> <li>Priory Wood Highway Works.</li> </ul>

Views	<ul style="list-style-type: none"> <li>• Birchanger;</li> <li>• Burton End;</li> <li>• Stansted Airport;</li> <li>• Key Routes (Local);</li> <li>• Key Route (Trunk);</li> <li>• Recreational Routes;</li> <li>• Specific Viewpoints; and</li> <li>• Priory Wood Highway Works.</li> </ul>
Hydrology (Water Resources), Drainage and Flood Risk	<ul style="list-style-type: none"> <li>• Receiving Watercourses;</li> <li>• Water Supply Infrastructure; and</li> <li>• Foul Sewer Network.</li> </ul>
Ground Conditions	<ul style="list-style-type: none"> <li>• Human Health;</li> </ul>

Topic	Key Receptor Groups
	<ul style="list-style-type: none"> <li>• Controlled Waters; and</li> <li>• Below Ground Services.</li> </ul>

- 16.1.10** The ES highlights that there is no alternative site for the location of the development. Due to the nature of the development and position of the site in the withdrawn draft local plan no other sites were also considered. Due to the under used brownfield nature of the site the alternative to not developing was also discounted.
- 16.1.11** In terms of socio economics the construction employment implications and its effect on the local economy were considered and its creation of 1,990 direct construction jobs and creating £37.3m in wages. This has been concluded as beneficial but not significant in EIA terms.
- 16.1.12** Operations development would deliver around 2,600 net additional jobs and creating around £49.6m in wages per annum. This effect has been seen a significant beneficial impact in EIA terms.
- 16.1.13** There have been identified likely positive effects from the innovation, investment, improved technologies, productivity and improving the deficit in logistics in the locality. The developments potential to improve the economy locally, regionally, and nationally whilst the site is in a regionally important corridor. This have been overall assessed as moderate beneficial.
- 16.1.14** Whilst I agree with the above as being benefits it is considered slightly more weight should be applied to this.
- 16.1.15** In terms of highways a Transport Assessment has been undertaken to assess the impacts of the scheme upon the highway network. The ES states *“As a result of enabling, demolition and construction activities associated with the Proposed Development, there will be an increase in the number of vehicles on surrounding roads. The anticipated average monthly number of vehicles is expected to peak during months 17 to 19 of the construction period. This peak equates to 55 Heavy Goods Vehicles and Light Goods Vehicles per day, or 110 two-way vehicle movements in total. Additionally, 245 private cars per day have been estimated for construction workers to travel to the site.”*

- 16.1.16** During construction other than the access points on Round Coppice Road, negligible not significant effects would result. The access points have been determined to result in adverse effects in terms of accidents and safety on pedestrians, and car drivers. However, a Construction Environmental Management Plan is proposed with traffic related measures to mitigate the construction works.
- 16.1.17** As part of the development alternative sustainable travel modes have been enhanced through bus services and new cycle routes with improved PROW, plus local network improvements.
- 16.1.18** Cumulative implications have been assessed against other committed developments and the impact that the combined with the proposed development would have. These have been considered alongside the highway improvements and sustainable transport improvements proposed. No likely significant effects (after mitigation) on traffic and transport receptors have been identified as a result of the Proposed Development. Subject to the specified mitigations measures identified with the main report the conclusion is agreed with an weighed against the benefits of the scheme when considered against the highway movement, low heritage harm, loss of playing fields, air quality implications on the Ancient Woodland and the Bishop Stortford receptor in the AQMA and the visual impact that is all extensively mitigated through conditions and S106 Agreement.
- 16.1.19** A Noise and Vibration Assessment has been undertaken regarding the potential impacts during demolition and construction phase of the development. The nearest sensitive receptors to experience this would be Bury Lodge and Bury Lodge Farm. The impact has been concluded to be not significant and temporary especially due to mitigations measures such as the CEMP, hours of construction and control over noisy plant proposed, and all other receptors have been concluded to have a negligible impact and not significant in EIA terms.
- 16.1.20** An adverse effect has been identified once the Proposed Development is completed, to Bury Lodge and Bury Lodge Farm, which relates to road traffic noise. The noise and vibration during the sites operational period would be controlled through the layout of the site to be determined at reserved matters stage, by mitigations measure. The ES identified that further noise assessment shall be required at the reserved matters stage to establish the actual mitigation required for each building and in combination for the site as a whole. Overall, this effect is not significant. All other effects relating to operational noise, plant noise and residential receptors are negligible and not significant. No likely significant effects (after mitigation) in terms of noise and vibration have been concluded. Subject to the specified mitigations measures identified with the main report the conclusion relating to this topic is agreed with.

- 16.1.21** In terms of air quality, an air quality assessment has been undertaken. This has considered the construction phase of the scheme, the operational phase, air quality impacts associated with dust soiling, human health and ecological receptors.
- 16.1.22** During the construction phase subject to mitigations measures such as the CEMP no significant impacts were considered to human health or ecological receptors.
- 16.1.23** The completed development the ES states *“all receptors, except for one, identified a negligible and not significant residual effect. A not significant adverse effect has been identified for a residential property located on Dunmow Road in Bishops Stortford (R46) and neighbouring receptors within the air quality management area, at 2028 (the opening year of the Proposed Development). This effect is associated with operational road traffic, and is expected to be present in the short / medium term. At 2032, this effect has reduced to a negligible (not significant) effect. For transparency, the Environmental Statement reports the significant adverse air quality effect for the short-term, noting that this reduces in the longer-term.*

*While the effect will reduce to negligible in 2032, mitigation can be applied to the effect experienced in 2028. Mitigation includes the implementation of a Travel Plan which will encourage the uptake in sustainable modes of transport. This will be further supported by other external factors such as the anticipated air quality improvement associated with electric vehicles uptake across the UK following Defra’s prediction. As such, it is likely that in the long-term air quality will improve and the air quality effects to the Bishops Stortford air quality management area would not be considered significant.”*

- 16.1.24** Ecological receptors, specifically the Stocking Wood and Round Coppice Ancient Woodland receptors, were also considered within the operational air quality assessment together with the change in nitrogen and ammonia levels associated with the Proposed Development. The assessment has identified that a solid fence and further vegetated barrier adjacent to these Ancient Woodland sites is required. However, the residual effects identified have been and will be discussed further below.
- 16.1.25** The implementation of a travel plan and improved sustainable modes of travel would facilitate in improving and reducing the impacts of the proposed development subject to the mitigation measures being secured. Therefore, no likely significant effects (after mitigation) in terms of air quality have been identified as a result of the Proposed Development.
- 16.1.26** In terms of climate change and the assessment as to whether the proposed development would have an impact. It has been assessed that an adverse effect was identified for the demolition and construction

stage, which is not significant. The operations developments energy consumption was looked at in terms of greenhouse gases and based on energy efficiency measures proposed and long-term targets that are also reflected in Building regulations and the applicants desire to achieve a very high BREEAM rating, a negligible and not significant effect was identified for the operational phase was concluded.

- 16.1.27** Similarly, our Environmental Health Officers concluded the same with respect of the air quality and climate change subject to conditions.
- 16.1.28** In terms of ecology and biodiversity the application site consists of a number of habitats and is adjacent to /near sensitive receptors of ancient woodland. The development would result in a loss of areas of semi-improved grassland (which is partly classified as Lowland Meadow Priority habitat), however improvements to the retained semi-improved grassland would provide it in a better condition and improved habitat quality. Effects to habitats used by foraging bats, reptiles, badgers and nesting birds have been assessed. Mitigation measures for bats is proposed. A temporary adverse impact would result from the development of which after a 2years period would be fully mitigated. However, consideration is had for aviation safety as part of this and new roosting opportunities would be created in the long term. This has been concluded to be a negligible not significant effect, once the landscaping has grown.
- 16.1.29** The ES goes on to state that *“Badgers will also experience beneficial effects which are significant, with mitigation facilitating the retention and creation of habitat buffers, creation of wildlife and habitat corridors and linking these with habitats off site. This will also be supported through measures to minimise noise, lighting and vibration pollution to badgers during construction. Mitigation measures associated with the loss of grassland habitat for reptile species, including the enhancement of habitats, habitat buffers, the creation of new wildlife corridors and offsite links, and construction measures will result in a significant beneficial effect.”*
- 16.1.30** All other effects during the demolition and construction stage have been identified by the ES as being negligible and not significant.
- 16.1.31** The operation impact of the development upon ecology and biodiversity were also considered of which identified as some adverse but not significant prior to mitigation, post mitigation were concluded to be negligible and not significant. As part of the mitigation was the 15-year soft Landscape Maintenance and Management Plan, an appropriate lighting strategy, habitat retention and enhancement, and the protection of pond habitat.
- 16.1.32** No loss to Ancient Woodland is proposed as part of the development at Round Coppice or Stocking Wood. Protective measures are proposed to the Ancient Woodland in the form of to prevent unauthorised access,

additional planting, an appropriate lighting strategy and the implementation of a solid barrier with vegetated buffer to minimise air quality impacts. The overall effect to the Stocking Wood site is a significant beneficial effect with it being brought into conservation management.

- 16.1.33** In terms of the significant residual effect upon the ecology and biodiversity this has concluded as being minor/moderate beneficial. No objections have been raised by the Place Service's Ecologist subject to conditions.
- 16.1.34** In terms of Archaeology subject to conditions mitigating the development through survey work no likely significant effects are expected. The County Archaeologist raise no objection subject to conditions.
- 16.1.35** With regards to impact upon heritage assets there are 14 listed buildings, identified above in Paragraph **16.1.9** and 3 non-designated heritage assets within 1km of the site. The impact upon those have been assessed from 4 viewpoints. The ES identified that all apart from 2 sensitive receptors have a negligible and not significant effect from the construction and demolition works. Bury Lodge and Bury Lodge Farm is stated would have an adverse effect but not significant including at operational phase. No likely significant effects (after mitigation) to built heritage is considered. These impacts have been discussed and assessed in detail in the Heritage Section above Section 14.4.
- 16.1.36** A Landscape Assessment has been undertaken as part of the application submission of which sensitive landscape receptors have been considered from 8 viewpoints. The ES highlighted that *"During the demolition and construction works, all three landscape receptors would experience an adverse effect which is not significant. Of the seven visual receptors, three of these would experience an adverse effect which is not significant. The remaining four receptors, including Burton End, Key Routes (local), Recreational Routes and views from Bury Lodge, would experience an adverse effect which is significant."*
- 16.1.37** The ES goes onto state that *"Proposed Development is complete and operational, an adverse effect which is not significant will be experienced at all three landscape receptors. For the visual receptors, the following would experience an adverse effect which is not significant at both the completion of the Proposed Development and after 15 years; Birchanger, Stansted Airport, Church Road, M11, Public Right of Way adjacent to the M11. For the following receptors, an adverse effect which is significant would be experienced at the completion of the Proposed Development but is not significant after 15 years; Bury Lodge Lane, Round Coppice Road, and Tye Green Road. The remaining receptors experience a significant adverse effect both at completion of the Proposed Development and after 15 years; Burton*

*End, Public Right of Way to east of Birchanger, Public Right of Way between Burton End and Tye Green and views from Bury Lodge.”*

- 16.1.38** As well as the planting other mitigation measures such as the CEMP during demolition and construction and other mitigation measures such as lighting, parameters setting, materials etc could assist in the mitigation of the development. The landscape impacts would also need to be considered weighed against of policy and economic benefits. No objections has been raised by the Landscape Officer subject to conditions.
- 16.1.39** Implications upon hydrology supply, flood risk/drainage and contamination of water courses subject to mitigation measures suggested by consultees no significant adverse effects are considered.
- 16.1.40** In terms of contamination there is the risk of land contamination on site based on its historical use as a military airbase and commercial airport. Subject to mitigation measures no objections nor significant effects are considered which has been reflected in the Environmental Health Officer’s comments.
- 16.1.41** Cumulative effects upon the demand for energy provision has been assessed with no likely significant effects considered.

## **17. PLANNING BALANCE AND CONCLUSION**

- 17.1.1** The amount of weight to be given to development plan policies is a matter of planning judgement for the decision maker. Being out of date does not mean that a policy carries no weight. A review of the policies in relation to the proposed development has been made within this report.
- 17.1.2** The development would provide significant economic benefits in terms of the provision of significant new employment space to meet market demands in a strategic location and the investment into the local and wider economy. This has the potential to deliver significant numbers of jobs. Significant weight is afforded to these benefits.
- 17.1.3** The proposed development will provide an economic, social and environmental role. The application site and proposal amount to sustainable development and the scheme will further increase its level of sustainability in terms of built fabric and other improvements. This weighs in favour of the scheme.
- 17.1.4** The proposed development is in accordance with the policies within the NPPF, and Local Plan Policy AIR 6. The scheme has the potential to be in accordance with Local Plan Policies S4 and AIR4, however where the scheme is partially compliant with these policies significant weight is placed upon Paragraph 81 of the NPPF tipping the weight applied to the principle is considered acceptable. Negative impacts are not



significantly adverse and would not 'significantly and demonstrably' outweigh the benefits of the proposal in the planning balance.

- 17.1.5** Whilst the design is a reserved matter the development is capable of meeting Essex Design Guide standards, being compatible with its surroundings, providing suitable amenity spaces, being ultra-sustainable buildings meeting at least a very high BREEAM rating, meeting Secure by Design, Part M of the Building Regulations. This weighs in favour of the scheme. By having set parameters and a Design Code this provides some certainty and limitations in terms of the impacts of the development. Therefore, in accordance with Local Plan Policy GEN2.
- 17.1.6** Details of lighting both in terms of ecological, countryside, airport operations, design and amenity impact would be assessed at reserved matters stage should planning permission be approved. No objection was raised by Environmental Health subject to conditions. The development is therefore considered to accord with Local Plan Policy GEN2 and GEN4, and the NPPF.
- 17.1.7** Further consideration has also been given in respect to the net gains for biodiversity. The ecological assessment submitted as part of the application concluded that the proposed development would provide enhancements through strengthened and enhanced landscaping, which weigh in favour of the scheme. No objection has been raised by ECC Ecology, and Natural England subject to conditions and carrying the mitigation measures identified within the submitted ecological report. The scheme is therefore in accordance with Policy GEN7 of the adopted Local Plan. Moderate beneficial impact has been concluded from the development upon the ecological and biodiversity.
- 17.1.8** An Arboriculture Assessment has been submitted as part of the application. No objections have been raised by the Landscape Officer subject to conditions. Therefore, the application is in accordance with Local Plan Policy GEN7 and S7 in terms of landscaping. A significant adverse effect has been identified on the landscape arising from the development, although this is capable of being mitigated through innovative design regardless of height parameters. While this weighs against the scheme it also needs to be acknowledged that the Local Plan allocates the site for airport related uses included hangers and warehousing which similar buildings exist currently on site and therefore the principle of development of such a scale is supported by policy.
- 17.1.9** Based on the cumulative impacts from the scheme and to mitigate impacts on the surrounding highway network, the proposed improvements of the M11 junction 8, A120 junctions and the local roads, the scheme is considered to be in accordance with policy subject to conditions.

- 17.1.10** Adequate parking provision is capable of being provided on site in accordance with adopted parking standards, Local Plan Policy GEN8, Essex Parking Standards (adopted 2009).
- 17.1.11** Following thorough assessment from ECC Highways, National Highways and their appointed Highway consultants, and the Airport as also a local network highway authority they have not objected to the proposed development subject to conditions and S106 obligations. Cumulative impact assessment has been undertaken in considering this site and neighbouring committed developments.
- 17.1.12** The application site is located in Flood Risk Zone 1 and has a low probability of the risk of flooding. The scheme would incorporate underground storage, which will be subject to reserved matters and conditions should planning permission be granted. No objection has been raised by ECC SUDs subject to conditions. The scheme therefore accords with Local Plan Policy GEN3 of the adopted Local Plan.
- 17.1.13** The County Archaeologist has raised no objection subject to a conditions requiring further investigation works. This is in accordance with Local Plan Policy ENV4 and the NPPF.
- 17.1.14** No objection has been raised regarding contamination subject to condition should planning permission be granted. This is considered to accord with Local Plan Policies ENV14 and ENV12.
- 17.1.15** Implications upon Bird Hazard Management Plan, COMAH Regulations and emergency services have been fully assessed within the report and together with the relevant consultees. No objections have been raised by the aviation authorities, emergency services, Health and Safety Executive subject to conditions. In so far as the details submitted as part of the outline element of the scheme the development is in accordance with Local Plan Policy GEN2 and the NPPF.
- 17.1.16** In terms of impact upon heritage assets in the main less than substantial and at the low end of the scale has been concluded however slightly higher harm is likely to Bury Lodge Barns and Bury Lodge Farm of which this has been balanced against paragraph 202 of the NPPF. It is considered that the public benefits outweigh the identified harm of being at the lower end of the spectrum of 'less than substantial harm'. Weight should also be added to the fact that the application site is designated for airport related development within the adopted local plan therefore it can be legitimately argued that the harm has been already accepted as part of this, therefore the development is considered to accord with the NPPF in this respect.
- 17.1.17** With regards to the relocation of the sports pitches for the Elsenham Youth Football Club detailed discussions have been undertaken with relevant stakeholders and not least Sport England. A relocation mitigation plan which provides more certainty and comfort for Sport

England has been agreed subject to the details being secure within any Section 106 Agreement. While there is mitigation in terms of the loss of the sports pitches its relocation the additional provision of a Community Use Agreement to be secured via S106 Agreement will open up the use of the 3G pitch to the wider community providing a benefit overall. In consideration of the scale of the development and the nature of the playing fields, plus mitigation package the proposed development would accord with Local Plan Policies LC1, LC2 LC3 in so far as the scope of this development and Local Plan Policy GEN6 for mitigating the development.

**17.1.18** The proposed mitigations measures identified in Section 14.12 are considered to adequately mitigate the development in accordance with Regulation 122 and Local Plan Policy GEN6 whereby the scheme is acceptable.

**17.1.19** Taking all of the above considerations together, significant weight to the benefits of the development have been considered. Adverse impacts of development, including negative landscape impacts are considered capable of being further mitigated through innovative design. The significant benefits of the scheme outweigh the minor residual adverse impacts and in the overall balance the scheme is acceptable and in general accordance with national and local policies subject to conditions and Section 106 Agreement.

## **18. S106/ CONDITIONS**

### **18.1 S106 HEADS OF TERMS**

#### **18.**

##### **i. Securing local training programmes/initiatives**

- Number of apprenticeships,
- Employment and training initiatives,
- Training and work experience for younger and adults, including those who are not in employment, training or education,
- Best endeavours to maximise local labour;
- Local procurement agreement - potential for local businesses to be included in tender list.

**ii. A commuted sum for maintenance** of £31.83 per m2 to be provided for surfacing of the bridleway and any part of the cycleway to be adopted by the highway authority

**iii. Bus services:** Six months prior to occupation the developer to submit a bus strategy to the planning authority for approval, the strategy to include, but not be limited to:

1. provision of a bus service from the site to the airport bus and train station, which shall commence on first occupation and serve the shift pattern of all employees on the site and remain in operation for occupation of the development.

2. Details of information and promotion of bus services including, but not limited, to real time information within buildings, at bus stops and/or sent directly to employees, and time table information.

3. Details of a program of monitoring of the use of bus services and how the demand from employees will be responded too.

4. Details of liaison with Airport Bus Group, the local planning authority and highway authority to ensure a co-ordinated approach

5. Details of flexibility of service or enhancement of local services to include the local villages and support services up to value of two buses (operating for the shift periods) which shall at all times include the link between the employment site and the airport bus and train station.

6. The provision of bus stops within the site to be a maximum distance of 400m from the entrance of any employment building

**iv. Vehicle Cap:** Six months prior to occupation the developer to submit details of a vehicle cap to the planning authority for approval, the cap to include, but not be limited to, the following details:

1. Vehicle Monitoring System (VMS): Permanent monitoring all vehicle movements to and from the application site and from individual buildings. The equipment to be able to distinguish between types of vehicles. VMS to be maintained and repaired by Owner. Step in rights for ECC to instal monitoring equipment at the developer's expense if there is extended period of failure

2. Reporting: Monitoring of the vehicle movements from 6am to 10am and 4pm to 7pm. To submit a report to ECC and National Highways on a monthly basis (or lesser frequency if agreed). The format and content of the report to be agreed with ECC but to include access to the raw data and to identify any Exceedances and Penalised Exceedances within the report. The costs of monitoring by the highway authorities and planning authority to be met by the developer.

3. Exceedances: Details of definitions of exceedances as being every occasion when the number of vehicles (excluding Public Service Vehicles) entering and leaving the site during the restricted hours exceeds the Restricted Vehicle Numbers attributed to that hour. Excluding exceedances deemed by ECC to be beyond the control of the

Owner, for example closure of the M11 between junction 8 and 9. If there a regular exceedance of the Cap, a review to take place and action taken by the developer to reduce the trip generation of the site.

4. Penalty: First 3 exceedances if they are under 10% of the cap in one month not to be penalised. Penalties to be a minimum of £3500 per vehicle for the fourth to ninth exceedance and £7000 per vehicle for the 10th exceedance and beyond. Penalties to be held by ECC to be used as highway or sustainable transport mitigation.

(cascade system of monies to mitigate scheme immediate area, then UDC area then wider Essex area)

5. Review: Local planning authority and highway authority to review the vehicle monitoring provisions annually after first occupation of the site to determine if any provisions can be amended. This review to consider any additional highway mitigation proposals, the levels of traffic using key infrastructure etc

6. Caps: The Restricted Hours and maximum vehicle numbers permitted during those hours as set out below. The peak hour in the AM is 07:00-08:00 for the network and the peak hour in the PM is 17:00-18:00 as such an hour either side of the peak hour has also been restricted.

Restricted Hours	Max Vehicle Numbers (PCU)
06.00 - 07.00	516
07.00 - 08.00	546
08.00 - 09.00	602
16.00 - 17.00	627
17.00 – 18.00	580
18.00 – 19.00	454

The calculation of PCUs to be based on the following PCU calculation factors which have been applied to the trip generation and would also be applied during monitoring of traffic: Cars and Vans – PCU Factor of 1.0 Heavy Goods Vehicles – PCU Factor of 2.3

The approved Cap scheme to be implemented in full from 6 months after first occupation.

**v. Stansted Mountfitchet Scheme:** Prior to occupation a **financial contribution** to be paid to the highway authority of **£25,000** towards the design and implementation of a scheme or schemes to reduce the impact within and approaching Stansted Mountfitchet of HGV, such measures could include, but not be limited to, CCTV enforcement cameras, signing, vehicle activation signing, Traffic Regulation Orders, re-classification of road network. If ECC has carried out the work at their own expense then the contribution can be provided retrospectively for design and implementation.

**vi. Takeley Four Ashes Junction:** Prior to occupation a **financial contribution** to be paid to the highway authority of **£75,000** towards the design and implementation of operation improvements to the signalised junction at Takeley Four Ashes. If ECC has carried out the work at their own expense then the contribution can be provided retrospectively for design and implementation.

**vii. Workplace Travel Plan & Monitoring Fee:** Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented by a travel plan co-ordinator for a minimum period of 5 years or 1 year after the development is completed whichever is longer. It shall be accompanied by a monitoring fee of £6,132 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period and £1226 (plus the relevant sustainable travel indexation) per annum for any period beyond the initial 5 years. The Travel Plan shall provide but not be limited to staff information, public transport discounts, pool cars, facilities for cyclists, car sharing system, electric vehicle charging and shall be managed in conjunction with the Stansted Airport Travel Plan and include targets of a minimum of 10% decrease in single occupancy vehicle trips for employees over a 5 year period.

**viii. Provision of 3G pitch at Forest Hall Park School to specified standards:**

<p><b>1. Forest Hall School 3G Artificial Grass Pitch and supporting changing and car/cycle parking facilities</b></p>
<p>Prior to implementation of any development on the existing playing pitches land, planning permission will be secured for a 3G Artificial Grass Pitch with supporting changing/toilet and car/cycle parking facilities (“the 3G Facility”).</p>
<p>The development of the 3G Artificial Grass will accord with the Minimum Facility Specification to be provided following agreement with the Football Foundation/Essex County FA.</p>
<p>Use of the 3G Facility to accord with a Community Use Agreement Principles document to cover matters such as pricing policy, hours of community use, priority users (i.e. Elsenham Youth FC, indicative programme of use etc.</p> <p>Community Use Agreement to be drafted post committee in consultation with:</p> <ul style="list-style-type: none"> <li>• SM Parish Council</li> <li>• UDC</li> <li>• BMAT/Forest Hall School</li> <li>• Sport England</li> <li>• Football Foundation/ECFA</li> </ul> <p>Above parties to form a Steering Group for the purposes on implementation.</p>
<p>Any planning permission for the 3G Facility to include a planning condition requiring a community use agreement to be submitted and approved prior to first occupation which will need to accord with the agreed Community Use Agreement principles.</p>
<p>The 3G Facility will be implemented and made available for use within a defined period of time in accordance with the Planning Permission, the EYFC Relocation Scheme (including transitional arrangements) the Minimum Facility Specification and Community Use Agreement unless otherwise agreed in writing.</p> <p>The applicant would be expected to work in partnership with stakeholders to minimise risks of delay and uncertainty and take all reasonable steps to secure suitable transitional arrangements for, and which are acceptable to, EYFC to enable continuity.</p>

### **2. Alternative Playing Field Mitigation Scheme**

In the event that planning permission for the 3G Facility cannot be secured or subsequently cannot be implemented prior to implementation of any development on the existing playing pitches land, details of an Alternative Playing Field Mitigation Scheme will need to be submitted to and approved by UDC in consultation with Sport England and subsequently implemented in accordance with the EYFC Relocation Scheme and other details unless otherwise agreed in writing.

### **3. Elsenham Youth Football Club Relocation Scheme**

Prior to completion of the Section 106 agreement details of the EYFC Relocation Scheme to be agreed with UDC in consultation with Sport England and for the agreed Relocation Scheme, including any transitional measures, to be subsequently implemented prior to any development on the playing pitches land on the application site unless otherwise agreed in writing.

To consist of a short statement setting out details of the club's current use of the pitches on the application site and details of where this use will be relocated to following closure of the site in order to demonstrate continuity of pitch provision for the club. The Applicant should work in partnership with EYFC and local facility operators to agree such details,

### **4. Elsenham Recreation Ground Playing Field Improvement Scheme**

Prior to implementation of any development on the playing pitches land on the application site, a feasibility study for qualitative improvements to the playing pitches at Elsenham Recreation Ground will need to be prepared in consultation with Sport England. Based on the recommendations of this feasibility study, details of a Playing Field Improvement Scheme at Elsenham Recreation Ground including a construction specification and implementation programme will need to be submitted to and approved by UDC in consultation with Sport England. The agreed playing field improvement scheme will need to be implemented within a timescale to be agreed by UDC in consultation with Sport England.

### **5. Alternative Recreation Ground Playing Field Improvement Scheme**

In the event that a playing field improvement scheme at Elsenham Recreation Ground cannot be agreed following the completion of the feasibility study, details of an alternative playing field improvement scheme will need to be submitted to and approved by UDC in consultation with Sport England and subsequently implemented within a time period to be agreed by UDC in consultation with Sport England.

#### **ii. Pay the Council's reasonable legal costs**

#### **iii. Pay the monitoring fee**

### **Conditions**

1. Approval of the details of layout, access, scale, strategic and individual plots landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

Reason:

In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

Reason:

In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.

Reason:

In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

Reason:

For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority before occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

In the interests of the appearance of the site and area in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

6. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be



carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with policy GEN2 of the Uttlesford Local Plan (adopted 2005).

7. Prior to the construction of any phase the materials to be used in the construction of the external surfaces of that phase/plot shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

8. The development shall accord with parameters land use, heights and landscaping set out in the Design Code submitted as part of the planning application.

Reason:

In the interest of the design of the development in accordance with Local Plan Policy GEN2 (adopted 2005)

9. Prior to the commencement of development a long term plan for Bury Lodge as a listed building shall be submitted to and approved by the Local Planning Authority which sets out its longer-term protection and preservation.

Reason:

In the interest of protecting and preserving the long-term protection of the adjacent Listed Building in accordance with Local Plan Policy ENV2 and the NPPF.

10. The buildings shall be designed to meet at least BREEAM rating 'very good' and to aim for 'Excellent' wherever possible. The details shall be submitted to and approved in writing by the Local Planning Authority on each building reserved matters stage. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of the design of the development and securing a sustainable development in accordance with Local Plan Policy GEN2 (adopted 2005) and the Interim Climate Change Policy (2021)

11. Details of designing out crime and any required security measures to protect the operation of the airport and users of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005)

12. Prior to the commencement of development details of a site wide waste management strategy and waste collection points for each phase shall be submitted to and approved in writing by the Local Planning Authority.

A SWMP would be expected to:

- present a site wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation,
- establish strategic forecasts in relation to expected waste arisings for construction,
- include waste reduction/recycling/diversion targets, and monitor against these,
- advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area.

The operational site waste management strategy shall be in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan including mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures.

Thereafter the development shall be implemented in accordance with the approved details.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

13. Parking details for each plot shall be in accordance with the Essex parking standards.

Reason:

In the interest of the development and highway and pedestrian safety, in accordance with Local Plan Policy GEN2, GEN8 and the Essex Parking Standards (2009), also the NPPF.

14. Prior to the commencement of development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details unless otherwise agreed in writing.

Reason:

In the interest of the design and implementation of the development and relevant infrastructure in accordance with Local Plan Policy (adopted 2005) as a whole and the NPPF.

15. Prior to the commencement of the development tree protection measures for the trees to remain shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved protection measures, subsequently; the approved measures shall not be changed without the prior written consent of the Local Planning Authority.

Reason:

The use of such pre commencement condition is required to ensure the protection of the existing trees that bound the site during the construction of the development in accordance with Local Plan Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005)

16. The development hereby permitted shall provide a minimum floorspace of 9,715 sqm of non Use Class B8 uses relating to Use Class B2, E (g) (i), (ii) and (iii).

Reason:

In order to provide a diversification and to mitigate socio-economic impacts in accordance with the NPPF.

### **Highways**

#### **National Highways**

17. Before the beneficial occupation of phase one on the permission. The developer shall submit and have approved in writing by the local planning authority in consultation with National Highways the following design details relating to the required improvements to the M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 22 November 22

Scheme details shall include drawings and Documents showing:

- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations
- ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- iii. Full Signing and Lighting details
- iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards)
- v. Evidence that the scheme is fully deliverable within land in the control of either the applicant or the Highway Authority.
- vi. An independent Stage 2 Road Safety Audit (taking account of and stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes.
- vii. A construction Management plan detailing how construction traffic will be managed

Reason:

To ensure the efficiency and safe functioning of the highways network  
This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 18.** The above scheme approved by the Local Planning Authority shall be implemented and completed to the satisfaction of the Local Planning Authority in consultation with the Highways Authorities and NO beneficial of further phases occupation (ie beyond phase 1) shall take place unless and until the junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 15864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Brichanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 24 November 22 and referred to above have been delivered and are fully operational.

Reason:

To ensure the efficiency and safe functioning of the highways network  
This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

**STAL**

- 19.** The emergency services routes, as indicated on plan 31519-FE-057 A (contained Aviation Safeguarding Matters Montegue Evans January 2022) and dated Nov 2021, shall be constructed in accordance with final details to be first submitted to, and approved in writing by the Local Authority in conjunction with the Airport Highway Authority, and be retained thereafter. For the avoidance of doubt, the routes shall be capable of accommodating the weight and width of special appliances that require access to the airport infrastructure.

Reason:

To ensure safe and efficient emergency service access to an operational airfield and its supporting infrastructure. This is in accordance with Paragraphs 97 (a) and 110(b) of the NPPF (2021).

- 20.** Works to Round Coppice Road / First Avenue Roundabout and upgrade of First Avenue Both should be completed before any occupation of the building and with final details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraph 110(b) of the NPPF (2021).

- 21.** The details of the widening of Round Coppice Road and Cycle Access to the Development Site shall be with details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority. The works shall be completed before first occupation of any part of the proposed development.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraph 110(b) of the NPPF (2021).

- 22.** Prior to the first occupation of any part of the development hereby approved, a scheme for the prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue shall be brought into effect. This should ensure that the final design is compliant with the DfT's Local Transport Note 1/20 (July 2020) as a minimum with details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority. The works shall be implemented in accordance with the approved details.

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and Paragraphs 97 (a) and 110(b) of the NPPF (2021).

### **ECC Highways**

- 23.** No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period, including the substation and the pedestrian cycle route on PROW 45/60. The Plan shall provide for;

I. The parking of vehicles of site operatives and visitors,

- II. Loading and unloading of plant and materials,
- III. Storage of plant and materials used in constructing the development,
- IV. Wheel and underbody washing facilities.
- V. Routing strategy for construction vehicles, including protection of local villages and information on the enforcement strategy using CCTV
- VI. Protection of any public rights of way within or adjacent to the site
- VII. Time of operation including hours and time of year being sensitive to the operation of the airport and the impact on local residents
- VIII. how the construction works will not impede on emergency service operations

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011 and in accordance with Local Plan Policy GEN1 and GEN2 (adopted 2005)

- 24.** Prior to commencement details of a routing agreement to be submitted to the planning authority for approval. The routing agreement to include, but not be limited to,

1. prohibition of HGVs from going north on to Bury Lodge Lane either via access or other adjacent roundabout on roundabout on Round Coppice Road
2. Signing of routes to and from the strategic network
3. Camera enforcement of route
4. Details of information to be provided to employees and contractors in advising route to take
5. Details of how Sat Nav providers will be informed of preferred route
6. Details of reporting mechanism and penalties to be applied if routing agreement is not adhered to.

The approved agreement to be implemented in full from commencement.

Reason:  
To protect the local highway network in villages from unnecessary impact by HGVs from the scheme. This is in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

- 25.** Prior to construction of the substation an access shall be provided as shown in principle in drawing number 215864/PD07, including clear to ground visibility splays with dimensions of 2.4 metres by 160 metres in both directions, as measured from and along the nearside edge of the carriageway. Turning and parking shall be provided at the substation to accommodate service vehicles and ensure they can leave the site in a forward gear. Vegetation shall be removed from the visibility splay and

shall be subject to a maintenance regime to ensure they are retained free of any obstruction at all times thereafter.

Reason:

To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. This is in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

- 26.** Prior the implementation of any Traffic Regulation Order banning cycling on airport network or first occupation of the development, whichever is sooner, a cycle link from the site to the junction with PROW 45/62 as shown in principle on drawing number shall be provided.

It shall consist of the following:

1. A signalised Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B, including a maintenance bay, anti-friction surfacing, crossing warning signs and the cutting back of vegetation to provide visibility splays conforming to the speed of the road. The visibility splays shall be maintained thereafter.
2. Cycleways and footways within the development site designed to the standards in LTN1/20 linking to key employment areas and facilities.
3. A shared use cycleway/footway between the toucan crossing and PROW 45/60 to be designed in accordance with LTN1/20, minimum effective width 3.5m and appropriately surfaced and lit.
4. Bridleway 45/60 to be surfaced for its full effective width with an appropriate semipermeable material suitable for equestrians and cyclists and appropriate lighting

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 27.** Prior to first occupation a signing strategy for walking and cycling to from and around the site shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented prior to occupation and at the appropriate phases of the development.

Reason;

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

- 28.** Prior to first occupation two bus stops shall be provided on either side of Round Coppice Road with associated connecting footways. The bus

stops shall comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; poles and flag type signs, timetable casings and real time information. Prior to commencement of development a plan showing the above shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highways Authority. Thereafter the details shall be implemented as approved.

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

29. The development hereby permitted shall not restrict access to the COMAH facility in any way at anytime for emergency response arrangements.

Reason:

In the interest of Health and Safety of the hazardous facility in accordance with Local Plan Policy GEN2 and the NPPF.

### **Archaeology**

30. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II



construction, however, a number of the archaeological sites already excavated have shown a high level of preservation beneath elements of the WWII airfield.

This office would largely agree with the Receptors and Receptor sensitivity identified in 12.48, however, considering the extent of Roman burials and other occupation in the adjacent long term car parks we would recommend that the Roman remains are also identified as of high potential.

Within the mitigation section (12.60-12.66) this office would support the proposal for evaluation trenches on all areas of development, to include those within the present built up area, and the 2 high voltage underground cables and the new buildings on the present fields to the north, followed by open area excavation, with a programme of building recording on those structures which warrant recording prior to demolition. We would not recommend a programme of watching brief on any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF

- 31.** No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 32.** A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the Local Planning Authority following the completion of the archaeological evaluation.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as

London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 33.** No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II construction, however, a number of the archaeological sites already excavated have shown a high level of preservation beneath elements of the WWII airfield.

This office would largely agree with the Receptors and Receptor sensitivity identified in 12.48, however, considering the extent of Roman burials and other occupation in the adjacent long term car parks we would recommend that the Roman remains are also identified as of high potential.

Within the mitigation section (12.60-12.66) this office would support the proposal for evaluation trenches on all areas of development, to include those within the present built up area, and the 2 high voltage underground cables and the new buildings on the present fields to the north, followed by open area excavation, with a programme of building recording on those structures which warrant recording prior to demolition. We would not recommend a programme of watching brief on any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 34.** The applicant shall submit to the Local Planning Authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 35.** No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a written scheme of investigation (WSI) to be submitted to and approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 36.** No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI has been submitted to the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 37.** Thereafter a report detailing the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI shall be submit to the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.



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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

### **SUDs**

- 38.** No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.

- Limiting discharge rates to 105l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can EITHER half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event, OR are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.
- Demonstration of the range of SuDS features considered and the basis for adopting the proposed features.
- Substantiation of the EA requirement to maintain existing flows in the receiving watercourse.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

- 39.** Prior to occupation of any part/phase of the development hereby permitted a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water

drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

- 40.** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason:

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

#### **Thames Water**

- 41.** There shall be no occupation until confirmation has been provided that either:-
1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-
  2. A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of those additional buildings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason:

Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This is in accordance with Policy GEN6 of the Uttlesford Local Plan and the NPPF.

#### **Ecology**

- 42.** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Chapter 11: Ecology

and Biodiversity of the Environmental Statement: Volume 1, subsequent Volume 2 Annexes (RSK) and Bat Survey Report (RSK Biocensus, June 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason:

To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006. Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

- 43.** No development shall not in in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998. Also, in accordance with Local Plan Policies GEN2 and GEN7 (adopted 2005) and the NPPF.

- 44.** Any works which will impact the resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
  - b) a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence; or
  - c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17

Crime & Disorder Act 1998. Also, in accordance with Local Plan Policies GEN2 and GEN7 (adopted 2005) and the NPPF.

### **Aerodrome Safeguarding**

**45.** No development shall commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Aerodrome Safeguarding Authority, covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- Details of the area(s) subject to construction activity and the storage of materials and equipment;
- Details of cranes and other tall construction equipment (including the details of obstacle lighting);
- Control of activities likely to produce dust and smoke etc.
- Details of temporary lighting;
- Height of storage areas for materials or equipment;
- Control and disposal of putrescible waste to prevent attraction of birds;
- Site restoration;

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason:

To ensure that construction work and construction equipment on the site and adjoining land is in compliance with CAP 1096 'Guidance to crane users on aviation lighting & Notification'; does not breach the aerodrome safeguarded surfaces surrounding Stansted Airport and thereby endanger aircraft movements and the safe operation of the aerodrome; and, to ensure the development does not endanger the safe movement of aircraft or the operation of Stansted Airport through interference with communication, navigational aids and surveillance equipment. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

**46.** No development shall take place until the construction phase Bird Hazard Management Plan (BHMP) for the construction period is amended to specify the monitoring frequency; the plan should include details of the earthworks phase with an option to remove, compact or cover (e.g. with tar spray) areas of bare earth so as not rely solely on plastic safety fencing; and the management and removal of any Rookery or pigeon, corvid or Starling roost in this area, including in existing woodland. The amended construction BHMP should be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. Thereafter the amended BHMP shall be implemented in accordance with the approved details.

Reason:

Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 47.** No development shall take place until an operational phase robust BHMP is submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, for the life of the site in perpetuity. For the avoidance of doubt the BHMP should include, but not be limited to, details of:

- a) regular monitoring to prevent the use of the roofs by breeding, loafing or roosting large gulls, potentially with a commitment to net if necessary;
- b) measures to ensure buildings are designed with no ledges or other access points of exploitable areas for birds such as Feral Pigeons.
- c) food outlets and recreation areas, which should avoid having outdoor seating, or where it is present, it should be designed in such a way to reduce access to hazardous birds, for example by being under a canopy.
- d) a site wide waste management policy which should be in place to ensure adequate lidded bins are provided and emptied routinely.
- e) staff and visitors training to understand why it is imperative to not drop litter in this area i.e., that food detritus is a bird attractant; litter is a bird attractant; litter is a Foreign Object Debris (FOD) risk to aircraft engines.

Reason:

Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 48.** No development phase including site clearance to take place until the detail of landscaping and management plan are submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. The landscaping plan should be developed to ensure the use of berry and fruit bearing plants (including orchard trees) should be heavily restricted to avoid the formation of an exploitable food resource for hazardous flocking birds. The use of large, dense canopied tree species such as Oak and Scots Pine should be limited, as should the use of large evergreen species to avoid attractive habitat for a range of bird species. The management plan for the landscaping should specify appropriate measures to ensure restriction of heights in proximity to an active aerodrome.

Reason:

Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 49.** Prior to the commencement of any phase of the development, including any highway works, a detailed lighting scheme shall be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, showing full specification of lighting, including polar throw diagrams. All exterior lighting to be capped at the horizontal with no upward light spill. No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from any roof lights upwards – ideally, automatic blinds to be fitted that close at dusk. Prior to the energising of the site and use of any exterior lights, a lighting check will need to be carried out with the aerodrome safeguarding team at STN.

Reason:

Flight safety - to prevent distraction or confusion to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 50.** No phase of the development shall take place until an aviation perspective glint and glare assessment for the building materials is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight safety - to prevent ocular hazard and distraction to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 51.** No solar PV panel development to take place until an aviation perspective glint and glare assessment is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight safety - to prevent ocular hazard and distraction to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 52.** Buildings and structures on this site must not exceed the following heights:

- ZONE 1 MAX BUILDING HEIGHT 124.100 AOD
- ZONE 2 MAX BUILDING HEIGHT 123.500 AOD
- ZONE 3 MAX BUILDING HEIGHT 120.250 AOD
- ZONE 4 MAX BUILDING HEIGHT 113.125 AOD
- ZONE 5 MAX BUILDING HEIGHT 116.050 AOD

These heights will be subject to further assessment including an Obstacle Limitation Surfaces assessment; Instrument Flight Procedures (IFP) assessment; communications, navigational aids and surveillance (CNS) impact assessment.

Reason:

Development exceeding this height would penetrate the safeguarded surfaces surrounding Stansted Airport and development up to and exceeding this height could endanger the safe operation of the airport. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 53.** No development to take place until the developer has engaged with NATS to undertake any necessary radar mitigation works. Any mitigation works must be carried out in accordance with an agreed timetable.

Reason:

Flight Safety – to protect the integrity of radar equipment. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 54.** No phase of development shall commence until building specific aviation perspective Wind Shear studies, have been submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight Safety – to ensure that development does not create an increase to the risk of a wind shear hazard at STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 55.** Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order 2015 (or any Order revoking or re-enacting it, with or without modification/s), no development within Part 4 – Temporary Buildings and Uses, Class A: The provision on land or buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations, being or to be carried out on, in, under or over land or on land adjoining that land shall be carried out without a construction management plan and / or a Crane and Tall Equipment Plan first being submitted to and



approved in writing by the LPA, in consultation with the Airport Safeguarding Authority.

Reason:

To ensure that site construction and site maintenance operations and equipment on site or on any adjoining land do not breach the protected surfaces surrounding Stansted Airport, or create any interference with communication, navigational aids and surveillance equipment, both of which could endanger the safe movement of aircraft at, and the safe operation of, the aerodrome. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

### **Crime Prevention**

56. Prior to the commencement of any part of the development hereby permitted discussions shall be entered into with Essex Police relating to detailed layout and implications on Operational Policing, road infrastructure, CCTV/ANPR and security and management plan, details of design to be to Secure By Design Principles and ensure airwaves are unaffected. Details of which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Essex Police. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005)

### **Environmental Health**

57. Land Contamination

The following works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and The Environment Agency Land Contamination Risk Management (LCRM) and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

#### **A. Site Characterisation**

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment

must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - Human health,
  - Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - Adjoining land,
  - Groundwaters and surface waters,
  - Ecological systems
  - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

#### B. Site Remediation Scheme

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the measures set out in the approved Remediation scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where

remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

E. Long Term Monitoring and Maintenance

If found to be necessary from the Phase 2 investigation and remediation scheme, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed with the Local Planning Authority, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**58. Unexploded Ordnance (UXO)**

A detailed assessment of the potential for unexploded ordnance (UXO) at the site and a UXO risk assessment shall be undertaken by a competent person further to the recommendations of the submitted Environmental Statement, Volume 1 chapter 16 Ground Conditions, section 16.61. Any recommendations for further investigation and/or mitigation in the UXO assessment shall be fully implemented. A copy of the assessment shall be submitted to the Local Planning Authority.

Reason:

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**CEMP**

**59.** Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

a) The construction programme and phasing

- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

The CEMP shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice.

All works shall be carried out in accordance with the approved CEMP thereafter.

Reason:

In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **External Lighting**

- 60.** Prior to the installation of any external lighting, details of all proposed external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority. Only the details thereby approved shall be implemented.

At all times the lighting scheme shall conform to The Institution of Lighting Engineers Guidance Note 01/21 for The Reduction of Obtrusive Light.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Illuminated signs**

- 61.** Details of any illuminated signs to be installed on the site, including the design and illuminance levels shall be submitted to and approved in writing by the Local Planning Authority prior to the signs being brought into use. The signs shall be installed in accordance with the approved details.

The illuminated signs shall comply with the Institution of Lighting Engineers Professional Lighting Guide 05, The brightness of Illuminated Advertisements.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Air Quality**

- 62.** Prior to the commencement of development on each plot or phase, details of the proposed use and operation for each commercial unit/plot together with an updated associated Highway Assessment and Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason:

In the interest of protecting the residential amenity, highways and pedestrian safety and air quality from unacceptable levels of increased vehicle movements in accordance with Policy GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 63.** No development shall take place until a scheme, informed by an appropriate air quality assessment, for protecting local air quality and the Bishops Stortford Air Quality Management Area from adverse impacts associated with the commercial and industrial uses hereby approved has been submitted to and approved in writing by the local planning authority. No occupation of the units hereby consented shall take place until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason:

To protect human health and the amenity of local residents, and prevent any adverse impacts on the Bishops Stortford Air Quality Management Area, in accordance with Local Plan Policies ENV14 of the Uttlesford Local Plan and in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

- 64.** Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces and passive provision shall be made available for the remaining 80% of the spaces in the development, so that the spaces are capable of being readily converted to electric vehicle charging points. The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the commercial units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the

residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.

Reason:

To protect local air quality and amenity of existing neighbouring and future occupiers of the development. This will facilitate sustainable modes of transport in a development that will impact on an Air Quality Management Area and in accordance with the National Planning Policy Framework (para35) that 'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to [...] incorporate facilities for charging plug-in and other ultra-low emission vehicles'. This is in accordance with Policies GEN1 and ENV13 of the Uttlesford Local Plan (adopted 2005).

65. Development shall not commence until details of an air quality barrier scheme to provide mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice), as indicated on drawings Illustrative Landscape Masterplan drawing 32636-RSK-XX-XX-DR-LA-1000 Revision 05 and VD21521-DR-0101 Revision D, as well as restorative management, is submitted for approval in writing by the local planning authority. The approved scheme shall be implemented in full and maintained thereafter.

Reason:

To protect the ancient woodland sites from adverse air pollution effects from the development. in accordance with Local Plan Policy GEN2, GEN7 and the NPPF

#### **Primary Electricity Sub Station**

66. Prior to development commencing for the Electricity Sub Station hereby approved a noise impact assessment must be conducted by a competent person to assess the potential noise impact of the substation on noise sensitive receptors (e.g. hotel, residential, nursery). Noise from the substation shall be in assessed in accordance with BS4142:2014+A1 2019 and any other relevant published procedure or assessment method (subject to local authority approval). Particular attention shall be given to directional and low frequency impact at times of low background levels.

If required, a mitigation scheme to control noise from the substation shall be submitted for written approval. The works shall be carried out in accordance with the approved report shall be retained as such thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Nursery and other noise sensitive premises**

67. The development hereby approved shall not commence until a report identifying those noise sensitive premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their external amenity areas, where relevant) has first been submitted to the Local Planning Authority in writing to be agreed. The report shall also detail the arrangements for ventilating the premises so identified. The development shall be carried out in accordance with the report so agreed and shall be retained as such thereafter.

Reason:

To ensure that potential adverse noise impacts to noise sensitive premises within the development are mitigated and to ensure a high standard of amenity for future occupiers in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Industrial/commercial Noise Impacts**

**Plant noise**

68. For each of the permitted commercial and industrial units hereby approved, prior to the installation of any plant, machinery or equipment the details of such shall be submitted to and approved in writing by the Local Planning Authority.

A noise impact assessment must also accompany the submission and include noise emissions from the equipment and mitigation measures to be incorporated. The sound levels shall be assessed in accordance with BS4142:2014+A1 2019 (Or latest equivalent version). The sound emitted must be measured (or calculated if measurement is not possible) at 1.0m from the facade of all residential premises to demonstrate that the sound emitted by the cumulative operation of all external building services plant and equipment hereby permitted does not exceed 5db below the background noise level at any time when the plant is operating. The noise survey must include reference to measured background noise level at monitoring locations and times agreed by the Local Planning Authority. Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis.

Any scheme of mitigation shall be implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Should the plant and equipment fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures have been implemented. The plant and equipment shall be serviced regularly in accordance with manufacturer's

instructions and as necessary to ensure that the requirements of the condition are maintained at all times.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 69.** Within 3 months from the hereby approved permission, to establish background noise levels in vicinity of the development a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 and/or the most suitable method to fully represent any noise source and impact at the boundary of the nearest noise sensitive properties. This shall be undertaken by a suitably competent person. The noise sensitive property locations shall be submitted for written approval by the Local Planning Authority. The noise survey results shall be submitted for written approval of the representative background noise levels for each of the noise sensitive receptors at the reserved matters application stage.

Background noise levels shall be established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 70.** Prior to operation a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Where the proposed or actual plant and equipment rated noise levels are predicted to be in excess of 5 dB(A) above background noise levels a noise mitigation scheme shall be implemented.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Hours of Operation**

- 71.** Prior to the first occupation any of the individual non-residential units hereby permitted, details of the hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The non-residential units shall thereafter be occupied solely in accordance with the approved details.



Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Road traffic noise impacts**

72. No development shall take place until a scheme for protecting the existing noise sensitive premises from noise from road traffic changes resulting from the development, including increases in road traffic, changes to road layouts, roundabouts and new road crossings has been submitted to and approved in writing by the local planning authority.

The approved development shall not be brought into use until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Industrial/commercial operational noise impacts (excluding fixed plant noise)**

73. No development shall take place before a noise impact assessment and noise mitigation scheme for noise from all non- residential uses hereby approved (including industrial, commercial, retail, leisure and manufacturing processes, mobile plant and equipment, loading and unloading of goods and materials and any other noise source associated with the use hereby permitted) has been submitted to, and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented before the use/operation commences and be thereafter operated in accordance with the approved details.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Service yard management**

74. No development shall commence until a Service Yard Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the service yards. The approved plan shall be implemented at all times.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Odour/fumes industrial/commercial**

- 75.** Prior to first occupation a scheme detailing all plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with that uses/plot hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the use commencing and retained thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Odour/noise food businesses**

- 76.** Prior to first occupation of units relating to food businesses details of any proposed odour extraction systems shall be submitted to the local planning authority for written approval.

The details provided shall include an odour risk assessment and information on ventilation, odour control and noise control in accordance with the Guidance on the Control of Odour and Noise from commercial Kitchen Exhaust Systems.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Appendix 1 – Statutory Consultee Responses**

## National Highways



### National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Martin Fellows (Regional Director)  
Operations Directorate  
East Region  
National Highways  
[PlanningEE@Nationalhighways.co.uk](mailto:PlanningEE@Nationalhighways.co.uk)

To: Uttlesford District Council

CC: [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk)  
[spatialplanning@nationalhighways.co.uk](mailto:spatialplanning@nationalhighways.co.uk)

Council's Ref Utt/22/0434/op

Location: Land North Of Stansted Airport

**Proposal** Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved

Referring to the consultation on a planning application dated 22 Feb 22 referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection (see reasons at Annex A);

National Highways Planning Response (NHPR 21-09) September 2021

- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is not relevant to this application.<sup>1</sup>

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

<b>Signature:</b> 	<b>Date:</b> December 22
<b>Name:</b> Mark Norman	<b>Position:</b> Spatial Planner
<b>National Highways</b> National Highways   Woodlands   Manton Lane   Bedford   MK41 7LW	

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<sup>1</sup> Where relevant, further information will be provided within Annex A.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to the above planning application and has been prepared by Mark Norman.

This response should be read in conjunction with the responses from ECC's Highway Authority and MAG Stansted Airport. All three highway authorities have worked together in assessing the relevant access implications of the development and we agree the impact of the development on the surrounding highway networks and the sustainable access measures and mitigation.

We have reviewed the technical information provided in support of this planning application. The development has the potential to have a material impact upon the Strategic Road Network, to address this the developer has suggested a monitor and manage approach, and they have recently provided some details to be included in a S106 agreement. Physical capacity and safety improvements are also required these are detailed below.

A clause similar to that included within the S106 permission for Stansted Airport expansion should be included with the S106 for this development as it would allow the option of contributing to a larger improvement scheme if one were to materialise.

We therefore recommend that planning permission can be granted with the following conditions attached

1. Before the beneficial occupation of phase one on the permission. The developer shall submit and have approved in writing by the local planning authority in consultation with National Highways the following design details relating to the required improvements to the M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 G dated 24 November 22 and M11 J8 Junction

8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 22 November 22

Scheme details shall include drawings and Documents showing:

- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations
  - ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
  - iii. Full Signing and Lighting details
  - iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards)
  - v. Evidence that the scheme is fully deliverable within land in the control of either the applicant or the Highway Authority.
  - vi. An independent Stage 2 Road Safety Audit (taking account of and stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes.
  - vii. A construction Management plan detailing how construction traffic will be managed.
2. The above scheme approved by the Local Planning Authority shall be implemented and completed to the satisfaction of the Local Planning Authority in consultation with the Highways Authorities and NO beneficial of further phases occupation (ie beyond phase 1) shall take place unless and until the junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Birchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 24 November 22 and referred to above have been delivered and are fully operational.

***The Highways Agency 'Informative' re S278 agreements dated April 2019 in respect of planning application relating to the development known as Stansted Northside, is attached and should be appended to any subsequent***

## ECC Highways

Your Ref: UTT/22/0434  
Our Ref: HT/TPD /SD/KW/51793/4B  
Date:- 28/11/2022



**Essex County Council**

Paul Crick  
Director for Highways and Transportation

CC: Cllr Gooding  
National Highways  
Manchester Airport Group (Stansted)

To: Uttlesford District Council  
Assistant Director Planning & Building Control  
Council Offices  
London Road  
SAFFRON WALDEN  
Essex CB11 4ER

County Hall  
Chelmsford  
Essex CM1 1QH

### Recommendation

Application No. UTT/22/0434/OP

Applicant Threadneedle Curtis Limited C/o Montagu Evans

Site Location Land North Of Stansted Airport

Proposal Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food/retail/food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved

### Note

This application was accompanied by a Transport Assessment which has been reviewed by the highway authority in conjunction with a site visit and internal consultations. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2021 and in particular paragraphs 110 – 112, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

This site falls under three highway authorities Essex County Council (the local network), National Highways (strategic network) and Stansted Airport (the network within the airport land). All three authorities must be satisfied that the impact of the application is mitigated and that sustainable options have been taken up in accordance with NPPF. The highway authorities have been working together to ensure that all the areas have been covered and that the impact on the networks is acceptable.

The proposal includes capacity enhancements to the M11 and Priory Wood roundabouts which are on the National Highways network and have been reviewed and agreed by National highways.

The proposal also includes changes to the Round Coppice Road roundabout including capacity enhancements and footways to improved bus stops served by bus 510 which serve Harlow, Bishops Stortford and the south of Stansted Mountfitchet. These are on the Stansted Airport Network.



While the local highway authority has made some comment on these it is expected that Stansted Airport will recommend conditions/S106 obligations on access. Similarly National Highways will recommend conditions/section 106 obligations for the capacity enhancements on their network.

An initial response was made by the Local Highway Authority in July 2022. This identified eight areas where the highway authority had concerns or required further information. Since that time further information had been provided. Key to ensuring the impact on the network is acceptable is the imposition of a Cap on the number of vehicles entering and leaving the site in the peak period. This is to be monitored automatically by cameras and the data supplied to the highway authorities. There will be financial penalties if the cap is breached, and the funding put into mitigation works, the key principles are outlined in the conditions below.

In addition to the Cap on the number of vehicles accessing and exiting the site the development will subject to a number of obligations to protect the local highway, these include a routing agreement that will be enforced by CCTV to ensure HGVs do not route through Stansted Mountfitchet. A contribution to funding for schemes within Stansted Mountfitchet to help develop and fund schemes to protect the highway against illegal HGV movements and improve the efficiency and capacity of the Four Ashes junction.

Sustainable transport mitigations include provision of a bus service between the site and Stansted Airport rail and bus station to connect to local services, this will be operational in perpetuity and will serve all the shifts. There is an opportunity to extend this to serve the local area but this will depend on the need, which will be monitored through the Bus strategy and Travel Plan. A walking cycling route will also be provided that links to the local network to Bishops Stortford and the Flitch Way. Opportunities were looked for to improve the cycling network on the Stansted network but for ecological reasons this was not possible.

A travel plan will promote sustainable travel to site, the co-ordinator will work with the airport travel plan team and the same benefits that Stansted employees have will be given to the employees at this site.

**From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following obligations and conditions:**

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period, including the substation and the pedestrian cycle route on PROW 45/60. The Plan shall provide for;
  - I. The parking of vehicles of site operatives and visitors,
  - II. Loading and unloading of plant and materials,
  - III. Storage of plant and materials used in constructing the development,
  - IV. Wheel and underbody washing facilities.
  - V. Routing strategy for construction vehicles, including protection of local villages and information on the enforcement strategy using CCTV
  - VI. Protection of any public rights of way within or adjacent to the site
  - VII. Time of operation including hours and time of year being sensitive to the operation of the airport and the impact on local residents

**Reason:** To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto

the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. **Access** Prior to construction of the substation an access shall be provided as shown in principle in drawing number 215864/PD07 shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres by 160 metres in both directions, as measured from and along the nearside edge of the carriageway. Turning and parking shall be provided at the substation to accommodate service vehicles and ensure they can leave the site in a forward gear. Vegetation shall be removed from the visibility splay and shall be subject to a maintenance regime to ensure they are retained free of any obstruction at all times thereafter. **Reason:** To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
3. **Footway/cycleway:** Prior the implementation of any Traffic Regulation Order banning cycling on airport network or first occupation whichever is first a cycle link from the site to the junction with PROW 45/62 as shown in principle on drawing number shall be provided. It shall consist of the following:
  - 3.1. A signalised Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B, including a maintenance bay, anti-friction surfacing, crossing warning signs and the cutting back of vegetation to provide visibility splays conforming to the speed of the road. The visibility splays shall be maintained thereafter.
  - 3.2. Cycleways and footways within the development site designed to the standards in LTN1/20 linking to key employment areas and facilities.
  - 3.3. A shared use cycleway/footway between the toucan crossing and PROW 45/60 to be designed in accordance with LTN1/20, minimum effective width 3.5m and appropriately surfaced and lit.
  - 3.4. Bridleway 45/60 to be surfaced for its full effective width with an appropriate semi-permeable material suitable for equestrians and cyclists and appropriate lighting
  - 3.5. A commuted sum for maintenance of £31.83 per m<sup>2</sup> to be provided for surfacing of the bridleway and any part of the cycleway to be adopted by the highway authority.

**Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011
4. **Pedestrian/cycle Signing:** Prior to first occupation a signing strategy for walking and cycling to from and around the site shall be submitted to the planning authority for approval in writing. The approved strategy shall be implemented prior to occupation and at the appropriate phases of the development. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011
5. **Bus Stops:** Prior to first occupation two bus stops to be provided on either side of Round Coppice Road with associated connecting footways. The bus stops shall comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; poles and flag type signs, timetable casings and real time information. **Reason:** In the

interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

6. **Bus services:** Six months prior to occupation the developer to submit a bus strategy to the planning authority for approval, the strategy to include, but not be limited to:
  - 6.1. provision of a bus service from the site to the airport bus and train station, which shall commence on first occupation and serve the shift pattern of all employees on the site and remain in operation for occupation of the development.
  - 6.2. Details of information and promotion of bus services including, but not limited, to real time information within buildings, at bus stops and/or sent directly to employees, and time table information.
  - 6.3. Details of a program of monitoring the use of bus services and how the demand from employees will be responded too.
  - 6.4. Details of liaison with Airport Bus Group, the local planning authority and highway authority to ensure a co-ordinated approach
  - 6.5. Details of flexibility of service or enhancement of local services to include the local villages and support services up to value of two buses (operating for the shift periods) which shall at all times include the link between the employment site and the airport bus and train station.
  - 6.6. The provision of bus stops within the site to be a maximum distance of approximately 400m from the entrance of any employment building

The approved strategy to be implemented in full from first occupation and reviewed annually in consultation with and any revisions to be approved by the local planning authority and implemented by the developer

**Reason:** To provide convenient access to bus services in accordance with DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. **Routing agreement:** Prior to commencement details of a routing agreement to be submitted to the planning authority for approval. The routing agreement to include, but not be limited to,
  - 7.1. prohibition of HGVs from going north on to Bury Lodge Lane either via access or other roundabout on roundabout on Round Coppice Road
  - 7.2. Signing of routes to and from the strategic network
  - 7.3. Camera enforcement of route
  - 7.4. Details of information to provided to employees and contractors in route to take
  - 7.5. Details of how Sat Nav providers will be informed of preferred route
  - 7.6. Details of reporting mechanism and penalties to be applied if routing agreement not adhered to.

The approved agreement to be implemented in full from **commencement**. **Reason:** To protect the local highway network in villages from unnecessary impact by HGVs from the scheme.

8. **Vehicle Cap:** Six months prior to occupation the developer to submit details of a vehicle cap to the planning authority for approval, the cap to include, but not be limited to, the following details:
  - 8.1. **Vehicle Monitoring System (VMS):** Permanent monitoring all vehicle movements to and from the application site and from individual buildings. The equipment to be able to distinguish between types of vehicles. VMS to be maintained and repaired by Owner. Step in rights for ECC to instal monitoring equipment at the developer's expense if there is extended period of failure

- 8.2. Reporting:** Monitoring of the vehicle movements from 6am to 10am and 4pm to 7pm. To submit a report to ECC and National Highways on a monthly basis (or lesser frequency if agreed). The format and content of the report to be agreed with ECC but to include access to the raw data and to identify any Exceedances and Penalised Exceedances within the report. The costs of monitoring by the highway authorities and planning authority to be met by the developer.
- 8.3. Exceedances:** Details of definitions of exceedances as being every occasion when the number of vehicles (excluding Public Service Vehicles) entering and leaving the site during the restricted hours exceeds the Restricted Vehicle Numbers attributed to that hour. Excluding exceedances deemed by ECC to be beyond the control of the Owner, for example closure of the M11 between junction 8 and 9. If there a regular exceedance of the Cap, a review to take place and action taken by the developer to reduce the trip generation of the site.
- 8.4. Penalty:** First 3 exceedances if they are under 10% of the cap in one month not to be penalised. Penalties to be a minimum of £3500 per vehicle for the fourth to ninth exceedance and £7000 per vehicle for the 10<sup>th</sup> exceedance and beyond. Penalties to be held by ECC to be used as highway or sustainable transport mitigation.
- 8.5. Review:** Local planning authority and highway authority to review the vehicle monitoring provisions annually after first occupation of the site to determine if any provisions can be amended. This review to consider any additional highway mitigation proposals, the levels of traffic using key infrastructure etc
- 8.6. Caps:** The Restricted Hours and maximum vehicle numbers permitted during those hours as set out below. The peak hour in the AM is 07:00-08:00 for the network and the peak hour in the PM is 17:00-18:00 as such an hour either side of the peak hour has also been restricted.

9. Restricted Hours	Max Vehicle Numbers (PCU)
06.00 - 07.00	516
07.00 - 08.00	546
08.00 - 09.00	602
16.00 - 17.00	627
17.00 - 18.00	580
18.00 - 19.00	454

The calculation of PCUs to be based on the following PCU calculation factors which have been applied to the trip generation and would also be applied during monitoring of traffic: Cars and Vans – PCU Factor of 1.0 Heavy Goods Vehicles – PCU Factor of 2.3

The approved Cap scheme to be implemented in full from 6 months after first occupation. **Reason:** to ensure impact of the traffic generated from the site is acceptable and can be mitigated by the proposed works and sustainable transport initiatives.

- 10. Stansted Mountfitchet Scheme:** Prior to occupation a financial contribution to be paid to the highway authority of £25,000 towards the design and implementation of a scheme or schemes to reduce the impact within and approaching Stansted Mountfitchet of HGV, such measures could include, but not be limited to, CCTV enforcement cameras, signing, vehicle activation signing, Traffic Regulation Orders, re-classification of road network. If ECC has carried out the work at their own expense then the contribution can be provided retrospectively for design and implementation. **Reason:** to help protect the highway network in Stansted Mountfitchet from unnecessary HGV traffic generated by the proposed development.

**11. Takeley Four Ashes Junction:** : Prior to occupation a financial contribution to be paid to the highway authority of £75,000 towards the design and implementation of operation improvements to the signalised junction at Takeley Four Ashes. If ECC has carried out the work at their own expense then the contribution can be provided retrospectively for design and implementation. **Reason:** to provide capacity improvements at the junction.

**12. Workplace Travel Plan:** Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented by a travel plan co-ordinator for a minimum period of 5 years or 1 year after the development is completed whichever is longer. It shall be accompanied by a monitoring fee of £6,132 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period and £1226 (plus the relevant sustainable travel indexation) per annum for any period beyond the initial 5 years. The Travel Plan shall provide but not be limited to staff information, public transport discounts, pool cars, facilities for cyclists, car sharing system, electric vehicle charging and shall be managed in conjunction with the Stansted Airport Travel Plan and include targets of a minimum of 10% decrease in single occupancy vehicle trips for employees over a 5 year period.

**Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

**The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1 and the National Planning Policy Framework 2021.**

**Informatives:**

- (i) In making this recommendation the Highway Authority has treated all planning application drawings relating to the internal layout of the proposal site as illustrative only.
- (ii) Any signal equipment, Bus real time information signs, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. To be provided prior to the issue of the works licence.
- (iii) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.
- (iv) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

- (v) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (vi) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- (vii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public bridleway no **45/60** shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- (viii) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the [Essex Climate Action Commission](#) proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the [Essex Developers' Group Climate Charter \[2022\]](#) and to view the advice contained in the [Essex Design Guide](#). Climate Action [Advice guides](#) for residents, businesses and schools are also available.



12 December 2022

Maria Shoesmith  
Development Management Team Leader  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
CB11 4ER

Dear Ms Shoesmith,

**Re: Development of Land North of Stansted Airport by Threadneedle Curtis Limited, Application Reference UTT/22/0434/OP**

In respect of the above application, Stansted Airport Limited (STAL) as the Highway Authority for the airport has **no objections, subject to conditions** for the re-development of Land North of Stansted Airport. Please note that should the suggested conditions not be applied or not obligations entered into by the applicant, as part of any permission, then STAL as Highway Authority would object to the planning application.

This response should be read in conjunction with the responses from ECC Highway Authority and National Highways. All three highway authorities have worked together in assessing the relevant access implications of the development. STAL concurs with ECC's and NH's responses on the impact of the development on the highway networks and the sustainable access measures and mitigation.

1) Emergency Access

The Northside of Stansted Airport, even after the proposed development, will still contain critical airport infrastructure and an active airfield. As a result, it is vital that emergency service access and egress is maintained through the development site. The Applicant has supplied a plan ref: "31519-FE-057 A" (contained on p150 within Chapter 16 'Aviation Safeguarding' of the Environmental Statement) that describes the principal emergency service routes that will be maintained. These routes show access to the drainage pond, fuel farm (on 3 sides) and to two crash gate locations along the airfield fence line. These routes must be provided and retained thereafter. I have attached the extracted plan for completeness. As the scheme is in outline for routes beyond part of the upgraded First Avenue primary access road, further detailed approval will be necessary. Accordingly, the following condition is recommended:

*The emergency services routes, as indicated on plan 31519-FE-057 A (contained within Chapter 16 of the Environmental Statement) and dated Nov 2021, shall be constructed in accordance with final details to be first submitted to, and approved in writing by the Local Authority in conjunction with the Airport Highway Authority, and be retained thereafter. For the avoidance of doubt, the routes shall*

Enterprise House  
Bassingbourn Road  
Essex  
CM24 1GW  
United Kingdom

*be capable of accommodating the weight and width of special appliances that require access to the airport infrastructure.*

*Reason: To ensure safe and efficient emergency service access to an operational airfield and its supporting infrastructure.*

## 2) Widening of Round Coppice Road and Cycle Access to Development Site

The proposed widening of Round Coppice Road to allow safe HGV access to the development is considered necessary to make the scheme acceptable, given the levels of projected traffic.

It is noted that the potential effects on the adjacent ancient woodland limit the scope and extent of widening that is achievable. The promoted design is based on the standards in Manual for Streets (MfS). The road is rural in nature and within an airport environ so it is not considered that MfS is entirely appropriate as a design standard and instead should follow Design Manual for Roads and Bridges (DMRB).

Nevertheless, it is acknowledged that a balance must be struck between road widening and retention of the ancient woodland. The proposed road design is an improvement and offers benefits for increased vehicle (HGV) use as required by the proposed development. Accordingly, this route upgrade should form part of a planning condition / obligation, with details to be approved by STAL as Highway Authority and be completed before first occupation of any part of the proposed development.

However, the proposed design does raise potential safety concerns for cycle users. In response, the Applicant has submitted a cycle scheme along the edge of the Airport's Long Stay Car Park as an alternative dedicated route. This is considered an acceptable alternative route as it links into the current cycle network within the local area. This cycle route should form a planning condition / obligation which should ensure that the final design is compliant with the DfT's Local Transport Note 1/20 (July 2020) as a minimum and be approved by STAL as the Highway Authority.

This cycle route on its own does not however resolve the residual safety concerns on Round Coppice Road for vulnerable users, given the volume and nature of predicted traffic and because the DMRB standards are not met. Therefore, in addition to the dedicated cycle route, prohibition of cycling is required on Round Coppice Road between the two roundabouts accessing the Long Stay Car Park and the First Avenue respectively.

*Prior to the first occupation of any part of the development hereby approved, a scheme for the prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue shall be brought into effect.*

*Reason: In the interests of highway safety.*

## 3) Works to Round Coppice Road / First Avenue Roundabout and upgrade of First Avenue

The applicant has proposed that the access roundabout to the development and First Avenue within the development site are to be upgraded. It is also noted that both appear in the draft Heads of Terms for a s106 agreement, although First Avenue is within the development site and could be subject of a condition. Either way, the works are necessary to make the development acceptable as the current network is unsuitable for the levels of traffic suggested. Both should be completed before any occupation of the building and with final details to be approved by STAL as the Highway Authority.



In summary, subject to the necessary conditions and planning obligations (set out above in bold for ease) there are no objections to the proposed development.

Yours sincerely,

A solid black rectangular box used to redact the signature of Alistair Andrew.

Alistair Andrew, MRTPI  
Strategic Planning and Investment Director

## Lead Local Flood Authority

Essex County Council  
**Development and Flood Risk  
Environment and Climate Action,**  
C426 County Hall  
Chelmsford  
Essex CM1 1QH



Uttlesford District Council  
Planning Services

Date: 16<sup>th</sup> March 2022  
Our Ref: SUDS-005823  
Your Ref: UTT/22/0434/OP

Dear Sir/Madam,

### **Consultation Response –UTT/22/0434/OP: Land North of Stansted Airport**

Thank you for your email received on 22<sup>nd</sup> February 2022 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15<sup>th</sup> April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

### **Lead Local Flood Authority position**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

#### **Condition 1**

No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.

- Limiting discharge rates to 105l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can EITHER half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event, OR are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.
- Demonstration of the range of SuDS features considered and the basis for adopting the proposed features.
- Substantiation of the EA requirement to maintain existing flows in the receiving watercourse.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

#### Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

## Condition 2

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

### Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

## Condition 3

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

### Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.  
<https://www.essex.gov.uk/protecting-environment>
- The frequent references in the outline strategy to Uttlesford District Council as LLFA should be replaced as references to Essex County Council.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

## Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

### INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to [suds@essex.gov.uk](mailto:suds@essex.gov.uk).
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15<sup>th</sup> of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning

Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Yours sincerely,

**Richard Atkins**  
**Development and Flood Risk Officer**  
Team: Green Infrastructure and Sustainable Drainage  
Service: Climate Action and Mitigation  
Essex County Council

Internet: [www.essex.gov.uk](http://www.essex.gov.uk)

Email: [suds@essex.gov.uk](mailto:suds@essex.gov.uk)

### **Appendix 1 - Flood Risk responsibilities for your Council**

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- **Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)**

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- **Flood recovery measures (including flood proofing and other building level resistance and resilience measures)**

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs

are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

## **ECC Education**

### **Education and Early Years and Childcare**

There is ongoing consideration of the proposed nursery and comments will be forwarded as soon as possible. ECC welcomes the inclusion of childcare facilities to support people working at the site, as well as residents in the area who require access to local childcare.



Environment Agency



Uttlesford District Council  
Development Control  
Council Offices London Road  
Saffron Walden  
Essex  
CB11 4ER

**Our ref:** AE/2022/126874/01-L01  
**Your ref:** UTT/22/0434/OP  
**Date:** 17 March 2022

Dear Sir/Madam

**OUTLINE APPLICATION FOR DEMOLITION OF EXISTING STRUCTURES AND REDEVELOPMENT OF 61.86HA TO PROVIDE 195,100SQM COMMERCIAL / EMPLOYMENT DEVELOPMENT PREDOMINANTLY WITHIN CLASS B8 WITH CLASSES E(G), B2 AND SUPPORTING FOODRETAIL/ FOOD/BEVERAGE/NURSERY USES WITHIN CLASSES E (A), E(B) AND E(F) AND ASSOCIATED ACCESS/HIGHWAY WORKS, SUBSTATION, STRATEGIC LANDSCAPING AND CYCLE ROUTE WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND OTHER LANDSCAPING RESERVED**

**LAND NORTH OF STANSTED AIRPORT**

Thank you for your consultation dated 22 February 2022. We have inspected the application as submitted and No objections to the development in principle however we would expect that any development would not restrict access to the COMAH facility in any way, including that necessary for emergency response arrangements.

We trust this information is useful

Yours Sincerely

# Aerodrome Safeguarding Authority



<b>STANSTED AIRPORT AERODROME SAFEGUARDING AUTHORITY                      PLANNING APPLICATION CONSULTATION RESPONSE –                      under Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002</b>					
Planning Authority:	Uttlesford District Council			Application No: UTT/22/0434/OP	
Date Application Received (including sufficient information as required by Circular 1/03):	22/02/2022	Response Deadline on Consultation	24/03/2022 (Extension agreed)	Date Response Returned:	25/05/2022
Development Proposal:	Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial /employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved.				
Location:	Land North Of Stansted Airport CM24 1SG			Application Type: OUT	
OS Co-ordinates (Eastings/Northings):	552805 / 223126				
Our Reference:	2022/033				
No Objection	Crane Advisory Permits Required	Need to engage with MAG Safeguarding	Request Conditions	Objection	
	X		X		
<p>The Aerodrome Safeguarding Authority for Stansted Airport (STN) has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. Our following response is made as a statutory consultee under the provisions made to safeguard aerodromes in Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002.</p> <p>We have no objection to this outline application subject to the following Conditions:</p> <ul style="list-style-type: none"> <li>• No development shall commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Aerodrome Safeguarding Authority, covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:                             <ul style="list-style-type: none"> <li>- Details of the area(s) subject to construction activity and the storage of materials and equipment</li> <li>- Details of cranes and other tall construction equipment (including the details of obstacle lighting)</li> <li>- Control of activities likely to produce dust and smoke etc.</li> <li>- Details of temporary lighting</li> <li>- Height of storage areas for materials or equipment</li> <li>- Control and disposal of putrescible waste to prevent attraction of birds</li> <li>- Site restoration.</li> </ul> </li> </ul> <p>The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.</p> <p>Reason: To ensure that construction work and construction equipment on the site and adjoining land is in compliance with CAP 1096 'Guidance to crane users on aviation lighting &amp; Notification'; does not breach the aerodrome safeguarded surfaces surrounding Stansted Airport and thereby endanger aircraft movements and the safe operation of the aerodrome; and, to ensure the development does not endanger the safe movement of aircraft or the operation of Stansted Airport through interference with communication, navigational aids and surveillance equipment.</p> <ul style="list-style-type: none"> <li>• No development shall take place until the construction phase Bird Hazard Management Plan (BHMP) for the construction period is amended to specify the monitoring frequency; the plan should include details of the earthworks phase with an option to remove, compact or cover (e.g. with tar spray) areas of bare earth so as not rely solely on plastic safety fencing; and the management and removal of any Rookery or pigeon, corvid or Starling roost in this area, including in existing woodland. The amended construction BHMP should be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority.</li> </ul> <p>Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.</p> <p>Cont.</p>					

- No development to take place until an operational phase robust BHMP is submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, for the life of the site in perpetuity. For the avoidance of doubt the BHMP should include, but not be limited to, details of:
  - a) regular monitoring to prevent the use of the roofs by breeding, loafing or roosting large gulls, potentially with a commitment to net if necessary;
  - b) measures to ensure buildings are designed with no ledges or other access points of exploitable areas for birds such as Feral Pigeons.
  - c) food outlets and recreation areas, which should avoid having outdoor seating, or where it is present, it should be designed in such a way to reduce access to hazardous birds, for example by being under a canopy.
  - d) a site wide waste management policy which should be in place to ensure adequate lidded bins are provided and emptied routinely.
  - e) staff and visitors training to understand why it is imperative to not drop litter in this area i.e., that food detritus is a bird attractant; litter is a bird attractant; litter is a Foreign Object Debris (FOD) risk to aircraft engines.
 Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.
  
- No development phase including site clearance to take place until the detail of landscaping and management plan are submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. The landscaping plan should be developed to ensure the use of berry and fruit bearing plants (including orchard trees) should be heavily restricted to avoid the formation of an exploitable food resource for hazardous flocking birds. The use of large, dense canopied tree species such as Oak and Scots Pine should be limited, as should the use of large evergreen species to avoid attractive habitat for a range of bird species. The management plan for the landscaping should specify appropriate measures to ensure restriction of heights in proximity to an active aerodrome.
 Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.
  
- Prior to the commencement of any phase of the development, including any highways, a detailed lighting scheme should be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, showing full specification of lighting, including polar throw diagrams. All exterior lighting to be capped at the horizontal with no upward light spill. No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from any roof lights upwards – ideally, automatic blinds to be fitted that close at dusk. Prior to the energising of the site and use of any exterior lights, a lighting check will need to be carried out with the aerodrome safeguarding team at STN.
 Reason: Flight safety - to prevent distraction or confusion to pilots using STN.
  
- No phase of the development to take place until an aviation perspective glint and glare assessment for the building materials is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.
 Reason: Flight safety - to prevent ocular hazard and distraction to pilots using STN.
  
- No solar PV panel development to take place until an aviation perspective glint and glare assessment is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.
 Reason: Flight safety - to prevent ocular hazard and distraction to pilots using STN.
  
- Buildings and structures on this site must not exceed the following heights:
  - ZONE 1 MAX BUILDING HEIGHT 124.100 AOD
  - ZONE 2 MAX BUILDING HEIGHT 123.500 AOD
  - ZONE 3 MAX BUILDING HEIGHT 120.250 AOD
  - ZONE 4 MAX BUILDING HEIGHT 113.125 AOD
  - ZONE 5 MAX BUILDING HEIGHT 116.050 AOD
 These heights will be subject to further assessment including an Obstacle Limitation Surfaces assessment; Instrument Flight Procedures (IFP) assessment; communications, navigational aids and surveillance (CNS) impact assessment.
 Reason: Development exceeding this height would penetrate the safeguarded surfaces surrounding Stansted Airport and development up to and exceeding this height could endanger the safe operation of the airport.
  
- No development to take place until the developer has engaged with NATS to undertake any necessary radar mitigation works. Any mitigation works must be carried out in accordance with an agreed timetable.
 Reason: Flight Safety – to protect the integrity of radar equipment.

Cont.

• No phase of development shall commence until building specific aviation perspective Wind Shear studies, have been submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.  
Reason: Flight Safety – to ensure that development does not create an increase to the risk of a wind shear hazard at STN.

• Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order 2015 (or any Order revoking or re-enacting it, with or without modification/s), no development within Part 4 – Temporary Buildings and Uses, Class A: The provision on land or buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations, being or to be carried out on, in, under or over land or on land adjoining that land shall be carried out without a construction management plan and / or a Crane and Tall Equipment Plan first being submitted to and approved in writing by the LPA, in consultation with the Airport Safeguarding Authority.  
Reason: To ensure that site construction and site maintenance operations and equipment on site or on any adjoining land do not breach the protected surfaces surrounding Stansted Airport, or create any interference with communication, navigational aids and surveillance equipment, both of which could endanger the safe movement of aircraft at, and the safe operation of, the aerodrome.

Informatives:

• Given the location of this property the applicant should be aware that the airport will take action against anyone found in contravention of the Air Navigation Order ("Order"). In particular in contravention of the following provisions under that Order:-

➤ Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.

➤ Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.

• The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

• The applicant's attention is drawn to Civil Aviation Publication CAP393 – Air Navigation: The Order and the Regulations Part 28, Article 221 (i) which states that 'A person shall not exhibit in the United Kingdom any light which: (a) by reason of its glare is liable to endanger aircraft taking off or landing at an aerodrome; or (b) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft.' The Order also grants the Civil Aviation Authority power to serve notice to extinguish or screen any such light which may endanger aircraft.

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Signed: Diane Jackson

Date: 25/05/2022

(Authorised MAG Aerodrome Safeguarding Officer)

The appropriate office for consultation is:

[aerodrome\\_safeguarding@stanstedairport.com](mailto:aerodrome_safeguarding@stanstedairport.com)

Enterprise House  
Bassingbourn Road  
Essex  
CM24 1QW

Switchboard: +44 (0) 844 335 1803



## NATs

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There is insufficient information at this stage for us to undertake an in-depth assessment however a development of this scale so close to the airport has the potential to degrade the communications, navigation and surveillance equipment NATS operate in support of the air traffic operation at the airport and this should be considered as the design matures.

Initial work indicates that our radar to the north of the runway is the most likely candidate to experience issues although these are likely to be mitigatable if the developer is willing to work with us.

Cranes and other large plant deployed during construction also have the potential to cause issues although again these are likely to be manageable if NATS are engaged early enough.

Regards,

Alasdair

**NATS**

NATS Safeguarding

# Natural England

Date: 04 March 2022  
Our ref: 384600  
Your ref: UTT/22/0434/OP



Maria Shoesmith  
Uttlesford District Council  
[planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk)

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

## BY EMAIL ONLY

Dear Maria Shoesmith

**Planning consultation:** Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting foodretail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved

**Location:** Land north of Stansted Airport

Thank you for your consultation on the above dated 22 February 2022 which was received by Natural England on 22 February 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

### SUMMARY OF NATURAL ENGLAND'S ADVICE

#### NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

#### Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

#### Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning

authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Joe Thorpe  
Consultations Team

## Health & Safety Executive (major hazard sites/pipelines)

Uttlesford District Council  
Council Offices, London Road  
Saffron Walden  
Essex  
CB11 4ER



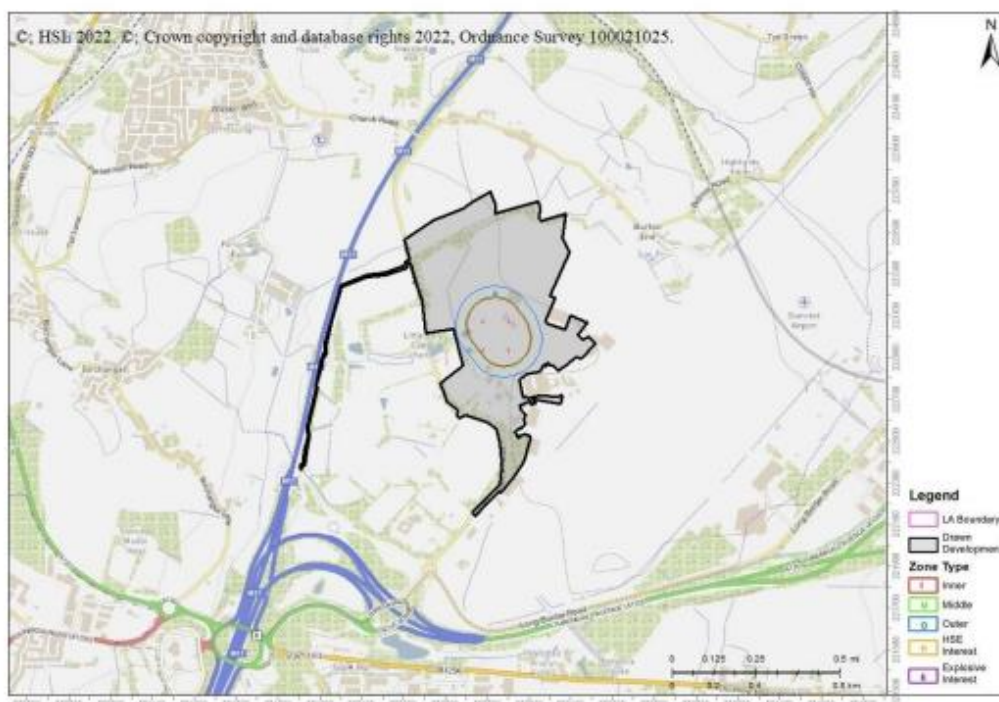
### Advice : HSL-220215110716-45 Crosses Consultation Zone

Please enter further details about the proposed development by continuing with the enquiry on the HSE's Planning Advice Web App from the Previous Enquiries tab either now or at a later time, unless the Web App has stopped the process and notified you to contact HSE.

**Your Ref:** UTT/22/0434/OP

**Development Name:**

**Comments:** Main site



The proposed development site which you have identified currently lies within the consultation distance (CD) of at least one major hazard site and/or major accident hazard pipeline; HSE needs to be consulted on any developments on this site.

This advice report has been generated using information supplied by Lynn Rusling at Uttlesford District on 15 February 2022.

You may wish to contact HSE's Planning Advice team to discuss the above enquiry result on 0203 028 3708 or by email at [lupenquiries@hse.gov.uk](mailto:lupenquiries@hse.gov.uk).

HSL-220215110716-45 Date enquiry processed: 15 February 2022 (552727 223116)



**Advice : HSL-220215110716-45 DO NOT ADVISE AGAINST**

**Your Ref:** UTT/22/0434/OP

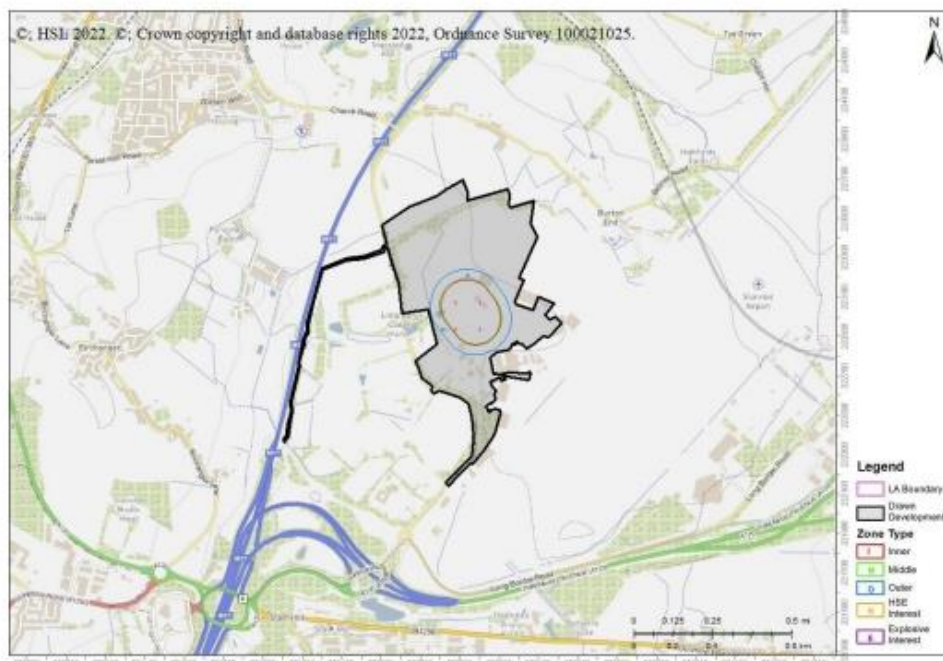
**Development Name:**

**Comments:** Main site

Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013]

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Uttlesford District.

**HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.**

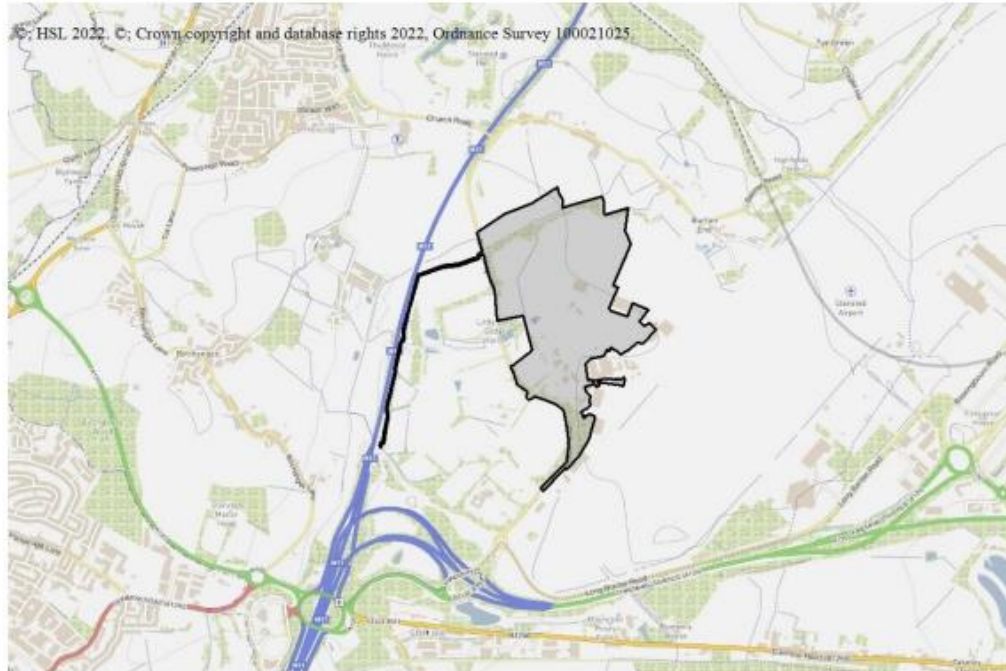


Workplaces : Do Not Advise Against

Is it a workplace specifically for people with disabilities, e.g. sheltered workshops? No

Are there 100 or more occupants in any individual workplace building (that lie partly or wholly within a consultation distance)? No

Are there 3 or more occupied storeys in any workplace building (that lie partly or wholly within a consultation distance)? No



This advice report has been generated using information supplied by Lynn Rusling at Uttlesford District on 15 February 2022.

Note that any changes in the information concerning this development would require it to be re-submitted.

**Advice :** HSL-220215114730-45 Does Not Cross Any Consultation Zones

**Your Ref:** UTT/22/0434/OP  
**Development Name:**  
**Comments:** Access



The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

This advice report has been generated using information supplied by Lynn Rusling at Uttlesford District on 15 February 2022.

## Health & Safety Executive (Explosions)

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CEMHD7 VERSION

Dear Sir/Madam,

Thank you for your email and attached application.

I see from your website that you have a response from HSE with concern to any major hazard sites/pipelines – this has been dealt with as a separate issue.

HSE's Explosives Inspectorate has no comment to make on this application as according to our records it does not appear to fall within the consultation zones of an HSE licensed explosives site. If you believe that this development is within the vicinity of an HSE licensed explosives site, please let me know.

Could you please ensure that prior to sending an further applications for advice to HSE's Explosives Inspectorate, you check your records and/or the [HSE Planning Advice Web App](http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm) at <http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm> to confirm that development falls within the safeguarding zones for a HSE licensed explosives site.

Kind Regards,

*Shirley*

Shirley Rance

Chemicals, Explosives and Microbiological Hazards Division - Unit 5 (CEMHD5)

1.2 Redgrave Court

Merton Road

Bootle

L20 7HS

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Development Management  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

**By email only**

Your ref: UTT/22/0434/OP  
Our ref: D1701

For the attention of Maria Shoesmith

Dear Ms Shoesmith,

Chemical Explosives and Microbiological  
Hazards Division 5  
1.2 Redgrave Court  
Bootle L20 7HS

Email: [lupenquiries@hse.gov.uk](mailto:lupenquiries@hse.gov.uk)  
<http://www.hse.gov.uk/>  
Stuart Reston – Team Leader

Date: 11 January 2023

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015**

**PLANNING APPLICATION UTT/22/0434/OP – OUTLINE APPLICATION FOR DEMOLITION OF EXISTING STRUCTURES AND REDEVELOPMENT OF 61.86HA TO PROVIDE 195,100SQM COMMERCIAL / EMPLOYMENT DEVELOPMENT PREDOMINANTLY WITHIN CLASS B8 WITH CLASSES E(G), B2 AND SUPPORTING FOOD RETAIL/ FOOD/BEVERAGE/NURSERY USES WITHIN CLASSES E (A), E(B) AND E(F) AND ASSOCIATED ACCESS/HIGHWAY WORKS, SUBSTATION, STRATEGIC LANDSCAPING AND CYCLE ROUTE WITH MATTERS OF LAYOUT, SCALE, APPEARANCE AND OTHER LANDSCAPING RESERVED- LAND NORTH OF STANSTED AIRPORT**

1. Thank you for your letter of 22 December 2022 to the Health and Safety Executive (HSE) asking for a review of the Land Use Planning (LUP) advice provided for the outline planning application UTT/22/0434/OP for a commercial development, café and creche on land north of Stansted airport.

2. HSE is a statutory consultee for certain developments within the Consultation Distance of major hazard sites and pipelines by virtue of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

These types of development include:

- residential accommodation;
- more than 250m<sup>2</sup> of retail floor space;
- more than 500m<sup>2</sup> of office floor space;
- more than 750m<sup>2</sup> of floor space to be used for an industrial process;
- transport links;

- or developments which are otherwise likely to result in a material increase in the number of persons working within or visiting the notified area.

3. We note that Uttlesford District Council used the WebApp in February 2022 (ref HSL-220215110716-45) to obtain HSE's LUP advice for the outline planning application. The WebApp consultation identified that part of the development site lies within the consultation zones for a major hazard site, the fuel depot operated by S & J Robertson (North Air) Ltd at 11th Avenue, Stansted Airport. These consultation zones were established by HSE in March 2007 in response to hazardous substance consent applications for the fuel depot to Uttlesford District Council. Major hazard sites are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation.

4. The WebApp uses a decision matrix with the combination of the consultation zone and sensitivity level (<https://www.hse.gov.uk/landuseplanning/methodology.htm#matrix>) to determine HSE's response, which will be that HSE either "Advises Against" (AA) or "Does Not Advise Against (DAA) the granting of planning permission for the proposed development.

5. In the WebApp consultation by Uttlesford District Council in February 2022 the development area was assigned to workplaces each with less than 100 occupants per workplace building and each workplace building having less than 3 occupied storeys, but not specifically for people with disabilities. HSE's LUP methodology classes such workplaces as sensitivity level 1 developments. The WebApp gave a Does Not Advise Against recommendation for the development as HSE does not advise against sensitivity level 1 developments in the inner, middle or outer consultation zones of a major hazard site.

#### **HSE review of LUP advice for outline application UTT/22/0434/OP**

6. Thank you for providing the plan from the developer showing the proposed size and location of the café and creche on 5<sup>th</sup> January (drawing 31519-SK-Revised submitted to Montagu Evans LLP to Uttlesford District Council on 21 December 2022 – Appendix 1). We note from this plan and from drawing 31519-PL-104 that the café will be located in the outer consultation zone of the major hazard site (Appendix 2) and will have a total floor space of between 250 and 5000 sqm. As a development for indoor use by the public a café of this size will fall into sensitivity level 2. HSE does not advise against a sensitivity level 2 development in the outer consultation zone of a major hazard site.

We note that the creche will be located partly in the outer consultation zone of the major hazard site and will have a total site area of less than 0.25 hectares. As a development for institutional accommodation and education a creche of this size will fall into sensitivity level 3. HSE does not advise against a sensitivity level 3 development in the outer consultation zone of a major hazard site.

7. In summary, this review indicates that based on the information submitted for the planning application and the consultation zones for the S & J Robertson (North Air) Ltd major hazard site established in 2007, HSE's Land Use Planning advice team **does not advise against** outline planning application UTT/22/0434/OP on safety grounds.

8. In the case of Outline Planning applications where the proposed layout and the scale of the development may only be indicative, we would strongly suggest that should any changes be proposed after the outline permission has been granted, that HSE's LUP advice is obtained again before reserved matters are determined.

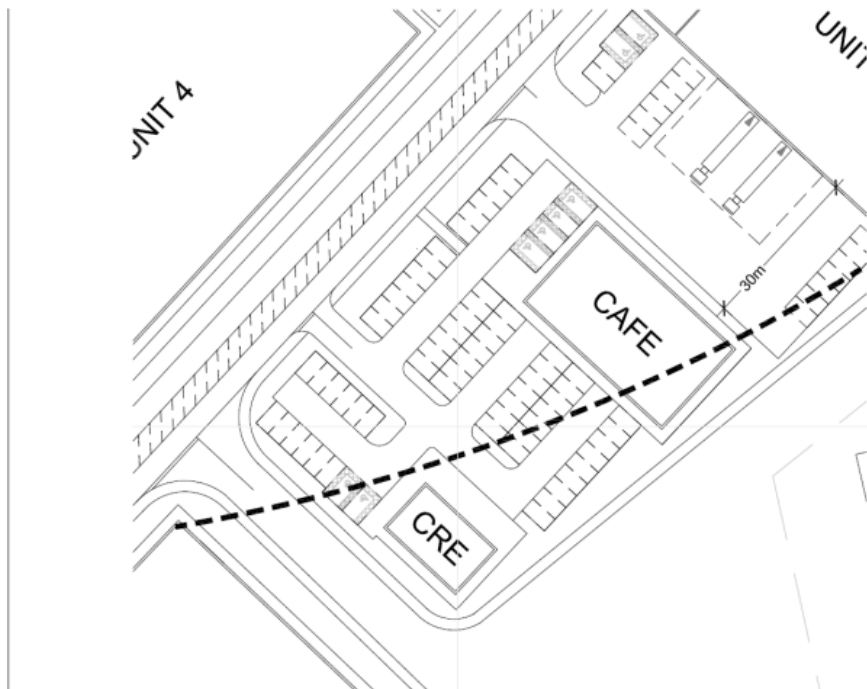
We hope this takes your assessment of the outline application forward.

Yours sincerely

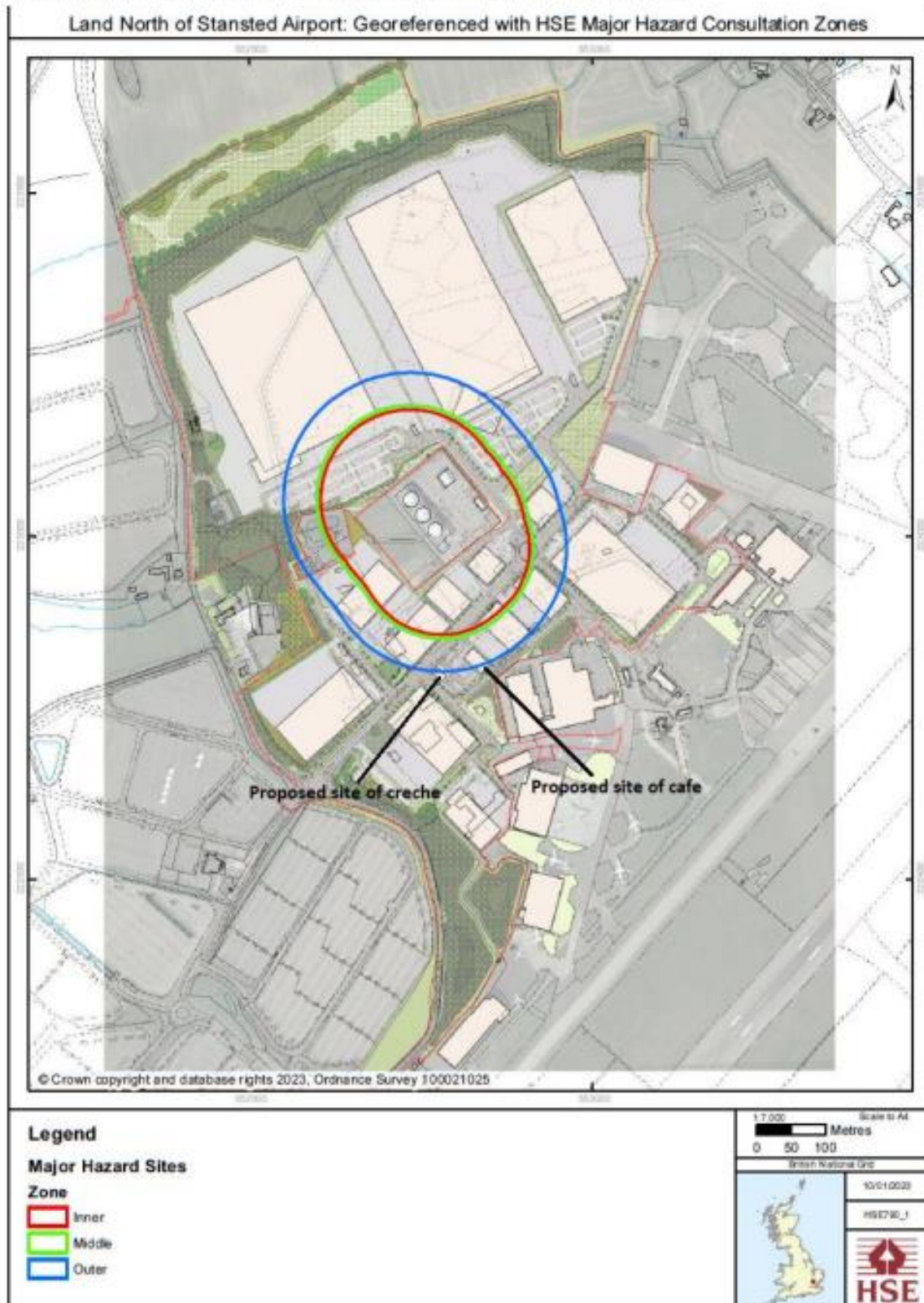
*Richard Lomax*

Richard Lomax  
Statutory and Commercial Land Use Planning Advice

Appendix 1. Location of creche and café (from Drawing 31519-SK-revised submitted by Montagu Evans LLP on 21 December 2022 for outline planning application UTT/22/0434/OP)



**Appendix 2. Masterplan 31519-PL-104 submitted with outline planning application UTT/22/0434/OP showing proposed location of creche and café, superimposed with HSE inner, middle and outer consultation zones for major hazard site**





## Health & Safety Executive (Hazardous installations)

**From:** [LUP enquiries](#)  
**To:** [Planning](#)  
**Subject:** [External] Re: Planning Application Consultation - N UTT/22/0434/OP  
**Date:** 01 March 2022 16:58:03

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Thank you for your email regarding planning application UTT/22/0434/OP.

I note that Uttlesford District Council used the HSE Planning Advice Web App on the 15 February 2022 to consult HSE regarding the above planning application - HSL-220215110716-45 HSE Does Not Advise Against. Therefore, HSE have no further comments to make regarding this planning application.

If any of the details regarding the planning application have changed then Uttlesford Dc must use the HSE Planning Advice Web App to re-consult with HSE.

Regards,  
Kathryn Deakin

HSE's Land Use Planning Support Team  
HSE Science and Research Centre  
Harpur Hill, Buxton, Derbyshire, SK17 9JN

# Fisher German OIL Pipes

Our Ref: SWS/ES/UT/0320/L.1/222133/AP/RT

Your Ref: UTT/22/0434/OP

Confirmed Location: 552,969 - 223,164

5<sup>th</sup> May 2022

For the attention of Maria Shoemith  
UTTLESFORD DISTRICT COUNCIL  
Council Offices  
London Road  
Saffron Walden  
Essex CB11 4ER



FISHER GERMAN LLP  
Exolum Pipeline System Ltd  
PO Box 7273  
Ashby de la Zouch  
Leicestershire  
LE65 2BY

Tel: 0845 0701245

Email:

Exolumpipelinesystem@fishergerman.co.uk  
[www.fishergerman.co.uk](http://www.fishergerman.co.uk)

Dear Sirs/Madam

## **Exolum Pipeline System Ltd – Affected Response – Planning Application** **Location: Land North Of Stansted Airport**

Thank you for your consultation dated 26<sup>th</sup> April 2022. We confirm that our client Exolum's apparatus will be affected by your proposals as indicated on the attached plan(s). The plan(s) supplied are intended for general guidance only and should not be relied upon for excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided and in order to verify the true location of the pipeline you should contact Exolum to arrange a site visit. Their contact details are:

**Central Services**  
**Ashdon Road**  
**Saffron Walden**  
**Essex, CB10 2NF**

**Email: [pipelinerow@exolum.com](mailto:pipelinerow@exolum.com)**

**Tel: 01799 564101**

When contacting Exolum, please quote our unique reference **222133**, which is specific to this enquiry. Please note that you should contact Exolum within 28 days of the date of this letter in order to validate this enquiry, otherwise it will become void.

You should note that the interests of the Exolum are conserved by means of the Energy Act 2013, in particular Part IV of the Act, and other legislation such as the Pipeline Safety Regulations 1996. It is, however, the Energy Act 2013 that prohibits any development and most intrusive activities within the Easement Strip without specific consent from Exolum. Exolum's Easement Strips are 6 metres wide and can incorporate other associated Exolum facilities.

Exolum will be able to provide guidance on the required procedures for entering into a Works Consent and provide confirmation on permitted development and intrusive activities. The whole process of obtaining a Works Consent can take between four and six weeks depending on circumstances at the time of application.

To reiterate, you should not undertake any work or activity without first contacting Exolum for advice and, if required, a Works Consent. For a copy of Exolum's Standard Requirements for Crossing or Working in Close Proximity to Exolum Pipelines, please visit <https://sbud.co.uk/wp-content/uploads/2021/10/sbud-standard-requirement-uk-um.pdf>. This will provide you with practical information regarding the legislation that governs the Exolum.



Fisher German LLP is a limited liability partnership, registered in England and Wales, Registered Number: OC317554. Registered Office: 40 High Street, Market Harborough, Leicestershire LE16 7NK. A list of members' names is available for inspection at the Market Harborough office.  
Regulated by RICS.



You should also be aware that landowners and third parties have a duty of care not to carry out any works that have the potential to damage Exolum apparatus. This duty of care applies even if the works themselves are situated more than 3 metres from the pipeline. Examples of such works are mineral extraction, mining, explosives, piling and windfarms.

Please note that implementation of any unapproved work that affects the Exolum Easement Strip may result in serious consequences in terms of health and safety, expense and other attendant liabilities. In such cases it is the perpetrator of the act, together with any other promoting organisation, that shall be held fully accountable for any resulting damage.

Should you require any further assistance regarding this letter please contact the undersigned or alternatively, you can contact Exolum using the details provided above.

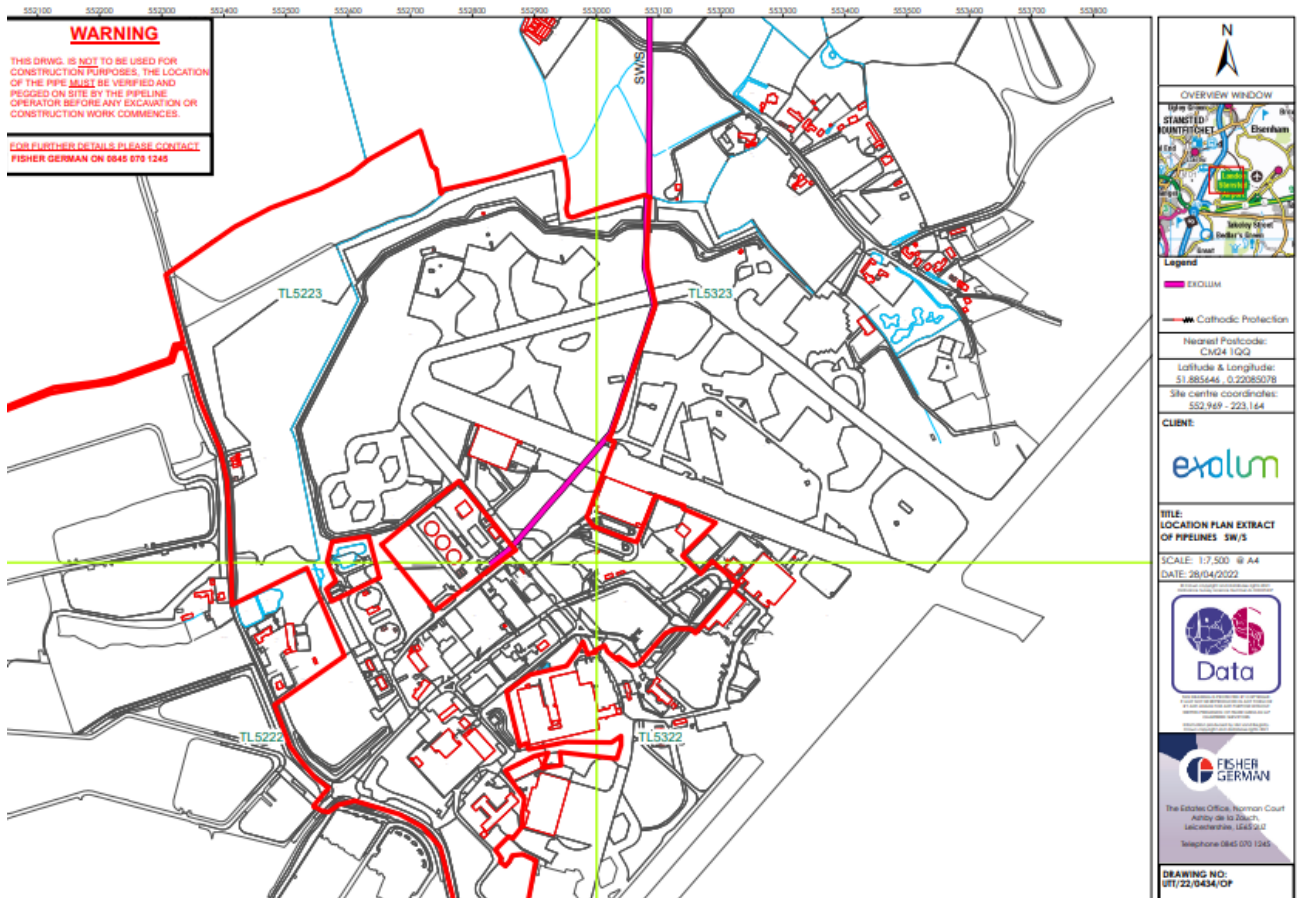
Yours faithfully

*Fisher German LLP*

**For and on behalf of FISHER GERMAN LLP (Exolum's Authorised Agent)**

Enc. Location Plan

cc. Exolum Central Services



## Appendix 2 – Consultee Responses

## Sport England

For the attention of Maria Shoesmith

Dear Ms. Shoesmith

**App Ref: UTT/22/0434/OP – Land North Of Stansted Airport (Sport England Ref: PA/22/E/UT/60983)**

I refer to the letter (and attachments) from the applicant's agent dated 17<sup>th</sup> November 2022 which provides details of the 'Football Pitch Mitigation Strategy' relating to the above planning application in order to address the loss of the football pitches used by Elsenham Youth FC. Sport England's initial formal response to the consultation on the application dated 11<sup>th</sup> March 2022 as a statutory consultee objected to the application as there were no detailed mitigation proposals at the time and the proposals were therefore not considered to accord with any of the exceptions in our Playing Fields Policy and Guidance [https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing\\_fields\\_policy](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy). Since then, the applicant in consultation with various stakeholders including Sport England has developed a more detailed mitigation package focused around the provision of a full sized floodlit 3G artificial grass pitch (AGP) at nearby Forest Hall School. Details of the mitigation proposals have now been set out in the agent's letter and supporting documents. I would therefore wish to update our position on the planning application in response to the applicant's submission.

### Forest Hall School Artificial Grass Pitch

A full size floodlit AGP is proposed at Forest Hall School in nearby Stansted Mountfitchet and the feasibility study undertaken by the applicant has demonstrated that the facility could in principle be delivered on the school's site. Engagement with the Burnt Mill Academy Trust and the District Council has indicated that the school would welcome the facility on their site and that it could operate alongside the existing leisure centre. A 3G AGP on this site would offer the following potential benefits:

- The AGP would provide a modern all weather surface that would be capable of intensive use throughout the year for matches, training and coaching. The AGP would be capable of accommodating a range of football pitches and would be suitable for both matches and training. The design and layout of the AGP would be expected to accord with the Football Association's design guidance which would help ensure that a fit for purpose facility that is suitable for meeting community needs would be implemented in practice.
- In relation to benefits for Forest Hall School, the AGP would provide an all weather facility that could be used for meeting the school's curricular and extra-curricular PE and sport needs and offer continuity of facility provision when natural turf pitches are unavailable due to ground conditions.
- Uttlesford District Council's Playing Pitch Strategy (2019) identified that the district had no 3G AGPs at the time that the strategy was prepared and there was a district-wide deficiency of four AGPs with a 3G surface suitable for meeting community football training and match needs that will increase to five in the future. The strategy identified that the Stansted Mountfitchet analysis area had a deficiency of one 3G AGP. More specifically, the strategy's action plan has identified Forest Hall School as a suitable site for meeting the identified need for 3G AGPs in the Stansted Mountfitchet analysis area and the surrounding

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Rural analysis area. No alternative options for meeting 3G AGP needs have currently been identified in this area of the district. The Uttlesford Local Football Facilities Plan (LFFP)

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this area of the district. The Uttlesford Local Football Facilities Plan (LFFP) <https://localplans.footballfoundation.org.uk/local-authorities-index/uttlesford/uttlesford-executive-summary/> that was prepared alongside the Playing Pitch Strategy for the Football Foundation has confirmed the need for additional AGPs in the Stansted Mountfitchet area and the Forest Hall School site has been specifically identified in this LFFP as a priority scheme for meeting needs.

- The facility would offer potential for helping to meet both the match and training needs of the two local football clubs, Stansted FC and Elsenham Youth FC. It may also help towards relocating Elsenham Youth FC's activities that would be displaced from the application site following its closure for development. I have consulted the Essex County FA which have advised that they are supportive in principle of a 3G AGP at Forest Hall School forming the principle element of a mitigation package if design, operational and delivery considerations could be addressed.

However, despite the above benefits the feasibility study has shown that whichever option is pursued for siting an AGP on the Forest Hall School site, a large proportion of the school's natural turf playing field area would be lost to accommodate the facility which may further reduce the supply of natural turf playing pitches in an area that already has shortfalls. As the proposal is still at the feasibility stage there are also a lack of certainty about the deliverability of the project given that it does not have planning permission although it is noted that the pre-application advice provided by Uttlesford District Council indicates that the proposal would be considered acceptable in principle. The proposal could only provide an acceptable mitigation solution if significant community use of the facility outside of school hours could be formally secured through a community use agreement and if an acceptable pricing policy, hours of use, programme of use and sinking fund could be secured in practice. There is no detail available at this stage on any of these matters. Notwithstanding this, it is welcomed that the draft Heads of Terms for a section 106 agreement proposes to seek to address some of the issues in relation to the delivery and operation of the AGP e.g. through planning permission being secured prior to implementation of the planning application on the existing playing field and the Community Use Agreement principles document being agreed to provide a framework for a subsequent community use agreement. The proposal in the draft Heads of Terms for details of an alternative playing field mitigation scheme to be provided as a contingency for the AGP project not securing planning permission or not being implemented is also welcomed.

#### Elsenham Recreation Ground Playing Field Improvement Scheme

As a secondary element of the mitigation package it is proposed to improve the quality of the playing fields at Elsenham Recreation Ground. This is Elsenham Youth FC's principal playing field that contains four football pitches of different sizes. Uttlesford District Council's Playing Pitch Strategy and the Uttlesford Local Football Facilities Plan has identified that improving the quality of the football pitches on this site would be a priority as the current quality is considered to be poor and some of the pitches are overplayed. Potential drainage improvements for example combined with an enhanced maintenance programme may for instance allow more matches/training sessions to take place on the pitches which in turn would help compensate for the loss of part of Forest Hall School's playing field to accommodate the proposed AGP. Such improvements may also help towards relocating Elsenham Youth FC's activities that would be displaced from the application site following its closure for development. However, as no feasibility has been undertaken to date to assess the options for improving the playing field the scope of such improvements is unknown as well as the delivery timescales.

#### Elsenham Youth FC Relocation Scheme

The commitment to agreeing a relocation scheme for Elsenham Youth FC as part of the Heads of Terms for the section 106 agreement is welcomed because in principle this may allow the club's current use of the playing field on the application site to be transferred to other sites prior to the site being closed which would provide continuity of pitch provision for the club. However, as no detail is available at this stage it is uncertain whether there are alternative venues that could satisfactorily accommodate the club's needs (without displacing other users) or if the relocation scheme would need to be focused on the proposed 3G AGP at Forest Hall School and/or the improvements to Elsenham Youth FC which may not be delivered in time.

#### Conclusion

The principle of the mitigation package that is now being offered by the applicant is welcomed for the reasons set out above. If delivered, a 3G AGP on the Forest Hall School site, significant qualitative improvements to Elsenham Recreation Ground and a relocation scheme to provide transitional arrangements for Elsenham Youth FC could collectively offer significant football related benefits and respond positively to the priorities in the District Council's Playing Pitch Strategy and the Football Foundation's LFFP. The Football Foundation and the Essex County FA also welcome the principle of the mitigation package. Sport England also acknowledges that the playing field on the application site has poor quality pitches due to their drainage, has no supporting facilities (other than the containers provided by Elsenham Youth FC) and has limited security of tenure for Elsenham Youth FC due to the short term lease

and break clause position. However, despite the mitigation package progressing positively since our initial response to the consultation was provided I have the following concerns:

- **Forest Hall School 3G AGP Delivery:** While the applicant has agreed to secure planning permission for the 3G AGP prior to implementation of the development on the application site's playing field, the applicant is unable to commit to delivering the project prior to implementing the development on the application site playing field. Even if a 3G AGP or an acceptable alternative project could secure planning permission, without a section 106 agreement making provision for its delivery in advance of development starting on the application site there is no certainty that the principal mitigation project would be delivered within an acceptable timescale or that continuity of playing field provision in the Stansted area would be maintained. This is pertinent given that the Forest Hall School site is not within the applicant's control and it would be difficult to see what effective enforcement action the District Council could take against the applicant to deliver the mitigation after the existing playing field has been lost to development. Sport England has had experience of playing field mitigation projects being delivered several years after a playing field has been lost to development or not being delivered at all where a section 106 agreement has not required that the mitigation is delivered in advance of the existing facility being lost. Furthermore, a scenario could arise where the proposed 3G AGP does not secure planning permission in which case there may not be a deliverable project for mitigating the loss of the playing fields. While the Heads of Terms makes provision for details of an alternative project to be provided as a contingency, there is no certainty that an acceptable alternative project could be identified in practice, and if it could, whether it could secure planning permission (if required) and be delivered within an acceptable timescale;
- **Elsenham Recreation Ground Playing Field Improvement Scheme Scope and Delivery:** While the applicant has committed to preparing a feasibility study to assess the options for improving Elsenham Recreation Ground, as the feasibility has not been prepared to date it is unclear what the scope or benefits would be of any improvements scheme and whether the applicant would agree to deliver such a scheme. It is also unclear what the timescales would be for delivering any such scheme. Due to this lack of detail, limited weight can be given to this element of the mitigation package at this stage. However, as this element of the mitigation scheme is essential for compensating for the loss of natural turf playing field provision across both the application site and the Forest Hall School site (if the 3G AGP is delivered) such detail is needed.
- **Elsenham Youth FC Relocation Scheme Detail:** While the applicant has confirmed that the relocation scheme would be agreed as part of the section 106 agreement and delivered prior to any development on the application site's playing field, as no details of the relocation scheme are available at this stage it is unknown whether an acceptable relocation scheme can in principle be identified. Furthermore, the relocation scheme may be focused around the delivery of the 3G AGP and/or the qualitative improvements to Elsenham Recreation Ground which the applicant is unable at this stage to commit to delivering in advance of development commencing.

Even if all of the above concerns had been addressed, Sport England would have to make a departure from our Playing Fields Policy to support the planning application on the basis of exceptional circumstances for the reasons explained in our initial formal response. A full understanding of the scope of the mitigation package plus acceptable delivery

proposals would be necessary for such exceptional circumstances to apply.

**In view of the above considerations I would therefore have to advise that Sport England's objection to the planning application is maintained although as set out above the principle of the mitigation package is welcomed and recognition is given to the quality and security of tenure considerations applying to the playing field that would be lost. Without prejudice to this position, if the District Council is minded to resolve to approve the application contrary to this advice I would request that any resolution is subject to a section 106 agreement being completed that includes the draft Heads of Terms enclosed (Enclosure 3) with the applicant's letter relating to the 'Football Pitch Mitigation Scheme'. I would also request that Sport England is engaged by the District Council on the detailed wording of the section 106 agreement and the various documents that will need to be prepared to support the delivery of the proposed terms that have yet to be agreed such as the 'Minimum Facility Specification' for the 3G AGP, the 'Community Use Agreement Principles' and the 'Elsenham Youth FC Relocation Scheme'. This engagement is considered necessary so that Sport England can provide the District Council with specialist advice on these matters in order to help ensure that the mitigation package that is secured through the section 106 agreement is acceptable in practice.**

If the Council is minded to approve the application, contrary to the above advice, I would advise that on this occasion the Town and Country Planning (Consultation) (England) Direction 2021 would not be applicable i.e. the application would not need to be referred to the Secretary of State, via the National Planning Casework Unit. This is because the playing field on the application site is privately owned. The Direction only applies to land (playing fields) that is owned by local authorities or educational institutions (or land used in the last 5 years by educational institutions).

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of a future committee meeting that would determine this application.

If you would like any further information or advice please contact me.

Yours sincerely

**Roy Warren**  
Planning Manager

## Urban Design

**From:** [Jack Bennett](#)  
**To:** [Planning](#)  
**Cc:** [Maria Shoesmith](#)  
**Subject:** Northside consultation response UTT/22/0434/OP  
**Date:** 14 March 2022 13:12:40  
**Attachments:** [Outlook-5ii5z3yv.png](#)

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Hello there, please see urban design consultation response for UTT/22/0434/OP.

The size and nature of the typology of proposed buildings including associated highways and servicing requirements, the construction materials associated with this type of building i.e. concrete and steel, the site constraints in terms of existing buildings, and the proximity of Stansted airport in terms of unsuitability for other uses and restrictions on green infrastructure, all combine to pose challenges for conventional placemaking/sustainable building but are generally outside of the applicant's control. The scheme does include positive features which work towards meeting these challenges, including provision of design code, which needs to be conditioned to ensure compliance at reserved matters stage. Low-carbon modular timber structural systems for this typology of building should be included in the design code, to guide subsequent reserved matters applications in the direction of net zero carbon construction which does not rely only upon carbon off-setting.

Many thanks,

**Jack Bennett**  
Principal Urban Design Officer  
Uttlesford District Council  
London Road  
Saffron Walden  
Essex  
CB11 4ER



**From:** [Jack Bennett](#)  
**To:** [Planning](#)  
**Cc:** [Maria Shoemith](#); [Lois Bowser, Principle Planning Officer - New Settlements](#)  
**Subject:** Northside consultation response UTT/22/0434/OP - ADDENDUM  
**Date:** 05 April 2022 15:05:33  
**Attachments:** [Outlook-g2efnbln.png](#)

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Further to submitted urban design consultation summary, see addendum below detailing design comments on the above application:

As detailed in the summary, the main concern is how to achieve good human scaled placemaking within the constraints of large buildings with small ratios of active frontages, large areas of car parking, large roads, and greatly reduced SUDs, green infrastructure, and trees. The overall approach of this scheme is very much a zoned out-of-town place that encourages car use, rather than a walkable place that has a finer grain of mixed-uses encouraging active travel. Having said that, the scheme does include/suggest design and sustainability aspects that are markedly better (in the context) than the average, and that is noted.

#### Active and sustainable travel

On the street scene, there is no cycle infrastructure (cycle lanes, stands, junctions, crossings) shown, nor any pedestrian infrastructure such as crossings, paths which continue over junctions etc. Raised tables could be used wherever possible depending on the grade of street, potentially not possible where HGVs are involved. Highways to confirm, but EDG street types B, C, and D specify 3m wide verges, street trees, and buses able to stop in carriageway which may enable 3 lanes to reduce to 2.

In sustainability statement, 'where possible' to be removed from the following statement: *'The development will be designed to incorporate the following measures ~~where possible~~ to ensure a highly energy efficiency, low carbon and 'future proofed' building'.*

Detail needs to be included in design code re. bus stops to specify seating, weather protection, real-time information board, refuse bins, landscaping etc.

Central pedestrian refuge must be included where required rather than 'will be considered'. Ditto for raised tables where compatible with highways and HGV requirements. Continue materials and level over junctions to maintain pedestrian hierarchy wherever possible. Footpath continuity over junctions where possible. High quality materials such as pavers etc will likely be limited to key entrances and public realm, but buff/light coloured tarmac should be considered to raise quality of materials where possible, shared cycle/footpath would be appropriate in this material.

#### Landscaping

The applicant should demonstrate more innovative and ambitious ways that we can include greenery in the context. All options should be explored and tested before taken off the table due to aerodrome safety. Green walls which could provide some vital greenery were suggested, as were rills which could be above-ground depressions formed of granite setts or similar that run alongside footways and direct rainwater away, rather than being directed straight into plastic underground - the water would not be standing. There are many more ideas that could be explored including SUDs which don't have standing water but do slow the flow of surface water via planted verges.

The below must be caveated by making clear that urban design is not the relevant

consultee in the area of safeguarding aerodromes. Any proposals in this regard will need to be agreed with the relevant authority on aerodrome safety. The Safeguarding of Aerodromes (CAP 738) document mentions (para 3.22) that 'building design including large area of flat or shallow pitched roof' may be deemed an 'unintended hazard' in the same category as SUDs, trees, other restricted landscaping and features. Does this mean that pitched roofs are less of a hazard? If some were achieved possibly for smaller buildings, or sawtooth industrial style pitches, would this reduce the risk in that area to enable a few more trees?

Likewise in Wildlife Hazard Management at Aerodromes (CAP 772 pg 24) it mentions that long grass seems to be less of a risk than short grass, could these mean opportunities for wildflower meadows (or at least wildflowers strips alongside footways, verges etc) rather than short-cropped grass which has little amenity or biodiversity value? Short-cropped grass generally should be reserved for areas that people might sit, verges and other unusable areas should generally be wildflowers or more robust quality planting/shrubs. Again, all this must be designed and agreed with the relevant authority on aerodrome safety.

Have the height envelopes been reviewed by the landscape officer?

Car parking should be hidden from view by buildings, soft landscaping, green walls, 'greened' fences etc as far as possible and the code should explore more detailed ways to achieve this.

Verges would be better (from a design point of view) between the footway and vehicular road, to buffer pedestrians from HGVs.

Need to define metric for minimum number of trees per given area in parking, usually 1 per 4 spaces but this will need coordination with safeguarding.

#### Building character

It will obviously be very difficult to build on any sort of local character or vernacular with these buildings and we should see the rationale behind colour choices and define some in the code. A more varied character throughout the site should be achieved, with distinct 'character areas' that could aid with wayfinding and break the site down to a more human scale. Character areas could be fairly simply defined around features such as the entrance 'gateway', main avenue, central amenity green, secondary 'streets' off main avenue etc. Variable character features could be roof forms, facade colour, signage graphics, materials, types of canopy, fenestration etc. The 'supergraphic' approach shown to signage is supported.

Can visual mass be broken down with stepping/inset facade elements as well as vertical panels. The shadows this would create would be more effective at breaking down the mass, whilst being fairly straightforward to achieve.

Design code states an architectural language 'appropriate to the aspirations of modern business' which is logical but does not consider local character nor local people's opinions. The code needs to explore what this looks like, and options, also for meaningful community engagement so local people can have more of a say on what this new place will be like.

As a minimum this code should explore possible colour schemes, combinations, detailing, etc, and highlight bad practice/colours to avoid, rather than state only colours/materials in

text.

Employee amenity greens - the design code should show some design principles that can be applied to any layout, and also some examples measured layouts which embody these principles and can inform RMAs. These will be vital spaces and code should explore detailed design options for these elements - they will be one of the main opportunities to improve the user experience of the place.

'Village green' - details/diagrams/images of what this means/could be/shouldn't be? Again, another key space that would benefit from some diagrams exploring how it might come together and establishing key design principles e.g. relationship to streets/built form, types of landscape 'rooms' and spaces, how different uses are incorporated, principles of access etc. Would suggest changing the name of the village green to something more urban and reflective of its true character.

#### Street enclosure

The principle of active frontages addressing public realm and creating enclosure of space needs to be followed as far as possible. On the street scene shown, the frontage on the right hand side of the street is much more successful, simply because the car parking is moved to the rear (or at least side) of the buildings - this enables the public realm to be addressed by soft landscaping and active frontages rather than a large car park as is the case on the opposite side of the street.

It is noted that the type and scale of building, and the parking required will not enable enclosure to the degree of a mixed-use high street for example, but areas of the scheme are more successful than others and the approach should be maximised.

For example, illustrative masterplan option 2 (pg. 5 of design code pamphlet) is a better option as the central amenity green could be enclosed by buildings rather than parking (if the square-ish building to the north of the green was flipped with its parking). Either way the amenity green should be enclosed with active building frontages and not car parking. Units 2 and 4 (on landscape drawing) successfully enclose the public realm and hide car parking, units 5,7,8,9,10 are semi-successful as the public realm is addressed by buildings but also parking. Could the car park at the front of unit 11 be shifted round the back or side for example?

In the design code drawings and diagrams (rather than only words) are required to demonstrate principles of: *Offices fronting the main road where possible, Segregated movement strategy for pedestrians and vehicles, Inward facing service yards where possible, Human scale will be considered with feature changes at a height of around 2.5m to provide a sense of human proportion to the ground level.*

The principle of drawings and diagrams being used rather than only words is set out in the National Model Design Code.

#### Sustainability

Ambitious targets for net zero carbon have been set out which is supported, and the design code should show how these might be achieved at reserved matters. E.g. what low embodied carbon materials are actually available for these kinds of buildings that aren't just concrete and metal? Would timber structure be feasible in select locations, and would the form/bays of the building need to change to accommodate this? In terms of passive design, again what approaches can be taken to buildings of this type, e.g. how should

habitable accommodation be thermally separated to ensure minimum space is being heated, how should solar shading be incorporated and on what facades etc. The design code should show ways that net zero carbon can be achieved through detailed design to guide applicants and officers at reserved matters. Please see LETI commercial design guide [252d09\\_0b2d7fb1e19d46ceb4701ec911e0656b.pdf \(leti.london\)](#). This guide is not adopted or endorsed by UDC but is useful guidance, nonetheless.

Requested in the design code detailed measured examples of design measures that can be taken at reserved matters stage to help meet BREEAM outstanding e.g. daylight level, walking/cycling facilities, water recycling, etc. Officers will need to know exactly what to look and ask for rather than only high-level principles. Can some more best practice office design principles/example layouts be explored and demonstrated e.g. naturally lit spaces, communal spaces for well-being, details of user-controlled environmental controls such as shading etc.

Please see a product/system that could be referenced in the design code: [Industrial buildings - Building concepts | Stora Enso](#) It's a product for industrial/commercial buildings made from wood, lowering the embodied carbon in construction, other products are available. Some of the examples could be included in the design code, and layout principles/setting out dimensions allowed for. We would not be specifying/stipulating the system at this stage but including this useful information could inform reserved matters applications. This would enable improved and more reliable carbon reductions, on top of the carbon offsetting which is being allowed for.

#### Early Years

More details, diagrams, precedents, measured layouts required to show how early years will be an exemplar designed facility and provide a safe and healthy environment for parents, children and early years practitioners taking into account large highways, pollution, active travel challenges, noise etc.

#### **Jack Bennett**

Principal Urban Design Officer  
Uttlesford District Council  
London Road  
Saffron Walden  
Essex  
CB11 4ER

## UDC Environmental Health

### **Environmental Health Consultee Comments for Planning**

**Application Number: UTT/22/0434/OP** - Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance

Land North of Stansted Airport  
Essex

#### **Lead Consultee**

Name: Andy Luck  
Title: Senior EHO  
Tel: x 540

Email: [aluck@uttlesford.gov.uk](mailto:aluck@uttlesford.gov.uk)

Date: 24<sup>th</sup> March 2022

#### **Comments**

The site is currently used for a mixture of Airport related services, storage and distribution, aircraft hangars and stands, and is part of the historic and redundant Stansted Airport site. The Proposed Development will be phased and is due to be completed in 2028 with the first unit open by 2024.

Due to the nature, size, location, and proximity of the proposed development to existing residential dwellings there is the potential for adverse impact to the environment and human health. This applies both during the construction phase and from the commercial activities and increased traffic movements after its completion.

The potential receptors include the existing residential properties and park homes to the east, west, north, and northeast of the proposed site. There are also potential receptors which will be introduced as part of the development such as Hotel, and office accommodation and the proposed school nursery.

The application is at outline stage and has been supported by a significant amount of documentation. This includes an Environmental Statement prepared by Trivium on behalf of the applicant Threadneedle Curtis Limited which this service has referenced in making this response and in particular Chapter 5: Demolition and Construction, Chapter 8. Noise and Vibration,

Chapter 9. Air Quality, and Chapter 16. Ground Conditions, and Chapter 19: Environmental Management, Mitigation and Monitoring Schedule.

The overall conclusion is that this service has no objection in principle to this development. However due to the scale and complexity of the scheme there will need to be suitable conditions attached to any consent granted at the reserve matters stage to ensure that there are no adverse environmental impacts arising from both the construction phase and the completed development. To this end we would recommend that there is liaison between the Councils planners to draft and secure appropriate conditions.

Notwithstanding the above there are some initial specific comments regarding the main areas to be considered.

### **Noise and vibration**

Baseline noise surveys have been conducted in 2015 and 2017 to establish the existing conditions at and around the site. The monitors were located at key positions on the site boundary to be representative of existing residential accommodation. The 2017 survey positions were agreed at the time with the Council. It is considered that these surveys remain representative of the baseline noise climate and do not need to be repeated, and are therefore the data is suitable for assessment of the noise impacts of the Proposed Development

Necessary mitigation measures will need to be implemented to reduce or prevent potential health impacts associated with the demolition and construction phase of the Proposed Development and the activities arising from the completed scheme.

The key considerations in relation to the noise and vibration assessment will be as follows: -

The implementation of good practice construction noise and vibration control (through the use of best practicable means). Preliminary construction noise and vibration assessments will need to be undertaken assuming no mitigation control and then reviewed to the magnitude of noise and vibration impacts from other introduced sources.

The following will need to be considered.

- Noise and vibration from operational B8 (distribution) use on site, specifically vehicle movements, loading/unloading etc.
- Noise and vibration from Operational B2 (general industrial); - Fixed plant noise; and –
- Changes in noise level alongside roads due to changes in traffic flow on those roads.

The aim would be to set noise limits from fixed plant for all of the proposed uses and the operation of the general industrial use is which are 5 decibels (dB) below the measured background noise level during the day and evening (06:00-23:30) and night time (23:30-06:00) periods, with a further penalty for any plant/activities that exhibits attention attracting characteristics likely to be audible at receptors, in accordance with British Standard (BS) 4142:2014+A1:2019 guidance<sup>30</sup>. It is considered that this would adequately safeguard the existing residential amenity

An outline code of construction practice is provided within Volume 2, Appendix: Noise and Vibration – Annex 4. It is suggested that the measures contained within this outline code of construction practice be discussed and agreed to via planning condition at the reserve matters stage to be incorporated into a Construction Environmental Management Plan (CEMP).

### **Contaminated Land**

This has been considered and is outlined in Chapter 16: Ground Conditions. An initial Desktop study has been undertaken to assess the potential extent and receptor pathways of land contaminants.

The following receptors have been considered within this assessment:

#### Existing Receptors

##### Human Health

- Current site users (Low Sensitivity);
- Maintenance workers (High Sensitivity); and
- Contractors (High Sensitivity).

#### Controlled Waters

- Shallow groundwater within the Made Ground (Low Sensitivity);
- Lowestoft Formation (Secondary Undifferentiated Aquifer) (Low Sensitivity);
- Glacial and Kesgrave Sands and Gravels (Secondary (A) Aquifer) (Medium Sensitivity);
- Surface water features – Balancing Pond A (Low Sensitivity); and
- Surface water features – Pincey Brook, Bury Lodge Stream, Great Hallingbury Brook and the River Stort (High to Medium Sensitivity).

#### Introduced Receptors

##### Human Health

- Future site users (Low Sensitivity);

- Maintenance workers / contractors (High Sensitivity); and
- Demolition and construction workers (High Sensitivity).

Other (Below Ground Services)

- Potable water supply pipes (High Sensitivity); and
- Buried concrete (High Sensitivity).

The baseline conditions have been summarised with details provided in the Volume 2, Appendix: Ground Conditions – Annex 1 of the Environmental statement.

There are proposed mitigation, monitoring and residual measures to mitigate the potential effects to current site users and worker in the demolition and construction phase and to break any pollutant linkages.

In particular the completion of a Phase 2 Contaminated Land Ground Investigation and the production of a Generic Quantitative Risk Assessment (GQRA) to assess the ground current conditions and the extent of any contamination present within the site; and to facilitate ground gas monitoring and confirm the ground gas regime.

Any areas of identified contamination will need to be identified and then appropriately remediated or mitigated. This could be in the form of removal off site, treatment, or mitigation employed such as the placement of a clean soil cover layer to form a suitable barrier in accordance with BRE Report 465 ('Cover systems for land regeneration – thickness of cover systems for contaminated land')<sup>11</sup>. This would need to be completed under a Remediation Method Statement and verified in a Validation Report. The Validation Report will be required to ascertain that the remediation measures (if required) have been undertaken satisfactorily and that the site no longer represents a risk when the Proposed Development is completed.

This will need to be conditioned at the reserve matters stage.

### **Air Quality**

The applicant has submitted an Environmental Statement: Vol 1, Chapter 9: Air Quality report which discusses likely impacts to the Bishop Stortford AQMA and Ecological sites (ancient woodland). Mitigation has been discussed including pollutant management during construction, travel plan, barriers to protect woodland and monetary contributions for transport related measures to reduce emissions. The report is broadly acceptable, however, East Herts District Council must be consulted on the air quality proposals affecting their AQMA in Bishop Stortford.

The following broad mitigations has been proposed by the applicant:



- The Dust Management Plan, to be incorporated into the wider CEMP, which will include measures to control other emissions.
- Prepare a comprehensive Travel Plan- The Travel Plan will identify sustainable modes of travel to/ from the Proposed Development from the surrounding areas, including Bishop's Stortford, and will include measures such as walking and cycling and links with existing bus services. Additionally, shuttle bus services will be provided between the Proposed Development and the Stansted Airport Interchange. The Travel Plan will also consider the transition to electric vehicles and suitable electric charging points will be provided as part of the Proposed Development. A survey of staff locations and method of travel to work will be carried out once the Proposed Development is fully operational to identify whether the numbers of vehicles for staff travel as a percentage of the overall staff movement are similar to those predicted. Where necessary, a package of sustainable transport measures would be subsequently introduced to encourage sustainable modes of travel for staff as outlined in the Travel Plan.
- The monetary cost derived by the damage cost calculations (detailed in Paragraph 9.86 in the ES Air Quality Chapter) will also contribute to sustainable transport related mitigation measures which would be included within the Travel Plan and the use of that funding would be agreed and monitored through the travel plan.
- Build a solid fence with further vegetated barrier (further information provided in ES Volume 1, Chapter 4: The Proposed Development), aimed at mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice) as well as restorative management.

These proposals are welcome and may be secured by condition as more specific details are known about the development.

The applicant is relying on long-term air quality improvements due to the increased uptake of electric vehicles across the UK, therefore, in support of this, further details for supplying electric vehicle charge points across the site needs to be supplied as more specific details are known about the occupiers of the development. The travel plan proposes that 20% of parking bays will have EV charging points and this service would recommend that an additional 40% will have capacity for future conversion. The travel plan also proposes a target to achieve a 10% decrease in single occupancy vehicle trips for employees as well as provision for motorised and non-motorised cycles including shower facilities etc (note that these should be covered spaces).

Energy saving and renewable technologies are being considered for this development (Sustainability Strategy) in the interests of carbon saving and energy efficiency and are welcomed as they will contribute to the overall reduction in pollutants.

**Application Number: UTT/22/0434/OP** - Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance

Land North of Stansted Airport  
Essex

**Lead Consultee**

Name: Jane Mann  
Title: Senior EHO  
Tel: x 344



Date: 06 January 2023

I refer to the consultation response by Mr A Luck dated 24<sup>th</sup> March 2022. Having reviewed the application considering Mr Lucks comments I note that the indicative layout does not reflect good acoustic design and we recommend that a suitably qualified and competent acoustic consultant forms part of the design team in readiness of the reserved matters application.

I would recommend the following conditions are attached to any permission granted.

**Contaminated Land**

**1. Land Contamination**

The following works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and The Environment Agency Land Contamination Risk Management (LCRM) and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

**A. Site Characterisation**

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons

and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - Human health,
  - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - Adjoining land,
  - Groundwaters and surface waters,
  - Ecological systems
  - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

#### **B. Site Remediation Scheme**

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### **C. Remediation Implementation and Verification**

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the measures set out in the approved Remediation scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

#### **D. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**E. Long Term Monitoring and Maintenance**

If found to be necessary from the Phase 2 investigation and remediation scheme, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed with the Local Planning Authority, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.]

**Reason**

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2 ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**Unexploded Ordnance (UXO)**

A detailed assessment of the potential for unexploded ordnance (UXO) at the site and a UXO risk assessment shall be undertaken by a competent person further to the recommendations of the submitted Environmental Statement, Volume 1 chapter 16 Ground Conditions, section 16.61. Any recommendations for further investigation and/or mitigation in the UXO assessment shall be fully implemented.

**Reason**

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2 ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**Construction works**

In view of the scale of the development as proposed, it is recommended that the following Construction Environmental Management Plan is attached to any consent

granted to ensure that construction impacts on adjacent residential occupiers are suitably controlled and mitigated:

Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

The CEMP shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice.

All works shall be carried out in accordance with the approved CEMP thereafter.

REASON: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **External Lighting**

To ensure that any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbours from obtrusive or spillover light, or glare, the following condition is recommended:

Prior to the installation of any external lighting, details of all proposed external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority. Only the details thereby approved shall be implemented.

At all times the lighting scheme shall conform to The Institution of Lighting Engineers Guidance Note 01/21 for The Reduction of Obtrusive Light.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Illuminated signs**

Details of any illuminated signs to be installed on the site, including the design and illuminance levels shall be submitted to and approved in writing by the Local Planning Authority prior to the signs being brought into use. The signs shall be installed in accordance with the approved details.

The illuminated signs shall comply with the Institution of Lighting Engineers Professional Lighting Guide 05, The brightness of Illuminated Advertisements.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Waste Management**

Prior to the first use of the buildings for the purposes hereby approved a scheme for the means of refuse storage including details of any bin stores shall have been submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development and retained for such purposes at all times thereafter.

The operational site waste management strategy shall be in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan including mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

## **Air Quality**

1. Prior to the commencement of development on each plot or phase, details of the proposed use and operation for each commercial unit/plot together with an updated associated Highway Assessment and Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

REASON: In the interest of protecting the residential amenity, highways and pedestrian safety and air quality from unacceptable levels of increased vehicle movements in accordance with Policy GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

2. No development shall take place until a scheme, informed by an appropriate air quality assessment, for protecting local air quality and the Bishops Stortford Air Quality Management Area from adverse impacts associated with the commercial and industrial uses hereby approved has been submitted to and approved in writing by the local planning authority. No occupation of the units hereby consented shall take place until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason: To protect human health and the amenity of local residents, and prevent any adverse impacts on the Bishops Stortford Air Quality Management Area.

## **Electric Vehicle Charging Points**

3. Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces and passive provision shall be made available for the remaining 80% of the spaces in the development, so that the spaces are capable of being readily converted to electric vehicle charging points. The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the residential units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.

Reason: To protect local air quality and residential amenity of existing neighbouring and future occupiers of the development.

4. Development shall not commence until details of an air quality barrier scheme to provide mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice), as well as restorative management, is submitted for approval in

writing by the local planning authority. The approved scheme shall be implemented in full and maintained thereafter.

Reason: To protect the ancient woodland sites from adverse air pollution effects from the development.

5. Development shall not commence until a Travel Plan has been submitted to the Local Planning Authority and approved in writing. The approved Travel plan shall be fully implemented and maintained thereafter.

Reason: To protect local air quality and residential amenity of existing neighbouring and future occupiers of the development.

### **Primary Electricity Sub Station**

Prior to development commencing for the Electricity Sub Station hereby approved a noise impact assessment must be conducted by a competent person to assess the potential noise impact of the substation on noise sensitive receptors (e.g. hotel, residential, nursery). Noise from the substation shall be assessed in accordance with BS4142:2014+A1 2019 and any other relevant published procedure or assessment method (subject to local authority approval). Particular attention shall be given to directional and low frequency impact at times of low background levels.

If required, a mitigation scheme to control noise from the substation shall be submitted for written approval. The works shall be carried out in accordance with the approved report shall be retained as such thereafter.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Nursery and other noise sensitive premises**

Noise sensitive premises (nursery) may be adversely affected by road, aircraft, industrial and commercial noise impacts. I would advise the following condition is attached;



The development hereby approved shall not commence until a report identifying those noise sensitive premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their external amenity areas, where relevant) has first been submitted to the Local Planning Authority in writing to be agreed. The report shall also detail the arrangements for ventilating the premises so identified. The development shall be carried out in accordance with the report so agreed and shall be retained as such thereafter.

Reason: To ensure that potential adverse noise impacts to noise sensitive premises within the development are mitigated and to ensure a high standard of amenity for future occupiers

### **Industrial/commercial Noise Impacts**

#### **Plant noise**

For each of the permitted commercial and industrial units hereby approved, prior to the installation of any plant, machinery or equipment the details of such shall be submitted to and approved in writing by the Local Planning Authority.

A noise impact assessment must also accompany the submission and include noise emissions from the equipment and mitigation measures to be incorporated. The sound levels shall be assessed in accordance with BS4142:2014+A1 2019 (Or latest equivalent version). The sound emitted must be measured (or calculated if measurement is not possible) at 1.0m from the facade of all residential premises to demonstrate that the sound emitted by the cumulative operation of all external building services plant and equipment hereby permitted does not exceed 5db below the background noise level at any time when the plant is operating. The noise survey must include reference to measured background noise level at monitoring locations and times agreed by the Local Planning Authority. Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis.

Any scheme of mitigation shall be implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Should the plant and equipment fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures have been implemented. The plant and equipment shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

Within 3 months from the hereby approved permission, to establish background noise levels in vicinity of the development a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 and/or the most suitable method to fully represent any noise source and impact at the boundary of the nearest noise sensitive properties. This shall be undertaken by a suitably competent person. The noise sensitive property locations shall be submitted for written approval by the Local Planning Authority. The noise survey results shall be submitted for written approval of the representative background noise levels for each of the noise sensitive receptors at the reserved matters application stage.

Background noise levels shall be established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

Prior to operation a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Where the proposed or actual plant and equipment rated noise levels are predicted to be in excess of 5 dB(A) above background noise levels a noise mitigation scheme shall be implemented.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **Hours of Operation**

Prior to the first occupation of the non-residential units hereby permitted, details of the hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The non-residential units shall thereafter be occupied solely in accordance with the approved details.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Road traffic noise impacts.**

No development shall take place until a scheme for protecting the existing noise sensitive premises from noise from road traffic changes resulting from the development, including increases in road traffic, changes to road layouts, roundabouts and new road crossings has been submitted to and approved in writing by the local planning authority. The approved development shall not be brought into use until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Industrial/commercial operational noise impacts (excluding fixed plant noise)**

No development shall take place before a noise impact assessment and noise mitigation scheme for noise from all non- residential uses hereby approved (including industrial, commercial, retail, leisure and manufacturing processes, mobile plant and equipment, loading and unloading of goods and materials and any other noise source associated with the use hereby permitted) has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use/operation commences and be thereafter operated in accordance with the approved details.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Service yard management**

No development shall commence until a Service Yard Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the service yards. The approved plan shall be implemented at all times .

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Odour/fumes industrial/commercial**

No development shall take place before a scheme detailing all plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with the uses hereby approved have been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the use commencing and retained thereafter.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Odour/noise food businesses.**

Prior to development commencing details of any proposed odour extraction systems for food businesses shall be submitted to the local planning authority for written approval. The details provided shall include an odour risk assessment and information on ventilation, odour control and noise control in accordance with the Guidance on the Control of Odour and Noise from commercial Kitchen Exhaust Systems.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

## UDC Landscape Officer/Arborist

**From:** Ben Smeeden <[REDACTED]>  
**Sent:** 14 December 2022 15:06  
**To:** Maria Shoesmith <[REDACTED]>  
**Subject:** Northside UTT/22/0434/OP

The extensive perimeter planting undertaken as part of the landscape masterplan for the first phase of the airport development has successfully matured proving an effective framework which would significantly ameliorate the visual impact the proposed development on the wider landscape.

The Landscape Visual Impact Assessment (LVIA) submitted by the applicant has been undertaken in accordance with the relevant guidance. It has been identified that there would be significant effects of the development, but these would be limited to localised visual receptors from Burton End, from the public rights of way around Birchanger and between Burton End and Tye Green, and from Bury Lodge.

The illustrative landscaping proposals include strengthening of screen planting to reduce the visual impact of the development on the setting of Bury Lodge listed buildings.

The visual impact of the proposed units on the wider landscape can be ameliorated by the application of an appropriate palette of colours and finishes to claddings, which would be dealt with at the reserved matters stage if this current application is approved.

The submission includes a proposed height parameters plan showing the maximum building heights within identified zones in order to reduce the visual impact on the surrounding landscape and Bury Lodge.

The proposed widening of Round Coppice Road will impact on its character. The intended erection of a solid 2m high fence to protect the adjacent ancient woodland, Stocking Wood, from traffic pollution would significantly diminish the appreciation of the

woodland from the road. The protection from traffic fumes afforded to the woodland flora by the fencing would be likely beneficial, but limited. Whilst the appearance of the fencing could be softened with planting, on balance, the introduction of such fencing would be visually detrimental.

The illustrative layout shows a number of existing trees to be removed. The total number of trees shown to be removed is 44 individual and 23 groups of trees. 4 veteran oak trees are shown to be retained. Hedgerows within the main body of the site are shown to be removed. The trees and hedges proposed to be removed would not have a significant impact on the wider landscape.

The illustrative landscaping plan shows some hundreds of individual trees to be planted across the site, and additionally a relatively small area of new native species woodland is proposed to strengthen the existing perimeter woodland on the northern boundary. New hedge planting is also shown to be provided. The indicated tree and hedgerow planting would compensate for the trees and hedges removed to accommodate the development.

Ben Smeeden  
Landscape Officer.

## ECC Place Services (Conservation and Heritage)

Place Services  
Essex County Council  
County Hall, Chelmsford  
Essex, CM1 1QH  
T: 0333 013 6840  
www.placeservices.co.uk



FAO:  
Planning Department,  
Uttlesford District Council

Ref: UTT/22/0434/OP  
Date: 21/03/2022

### HISTORIC BUILDINGS AND CONSERVATION ADVICE

Dear Sir / Madam,

**RE: Land to the north of Stansted, CM24 1SG.**

Built Heritage Advice pertaining to an outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial/employment development predominantly within Class B8 and Classes E (G), B2 and supporting food retail/food/beverage/nursery uses within Classes E (A), E (B) and E (F) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved.

The application site is within the boundary of Stansted Airport, it is 61.86 hectares in extent and is largely flat. The airport abuts the southern, eastern, and western boundary of the site, the western boundary is formed by Bury Lodge Lane and encompasses the Grade II listed building, Bury Lodge Hotel (list entry number: 1238549). Also, adjacent to Bury Lodge Hotel is the Grade II listed building, *Barns to east of Bury Lodge Hotel* (list entry number: 1238489). To north of the site is open land leading to the settlement of Burton End. The Designated Heritage Assets within Burton End and as identified within the Heritage Statement for consideration are:

- The Ash Inn, Grade II listed (list entry number: 1274126),
- Avondale Cottage and Burton Cottage, Grade II listed (list entry number: 1238486),
- North View and The Cottage, Grade II listed (list entry number: 1238487),
- The Thatch, Grade II listed (list entry number: 1238485),
- Rennisons, The Haven and Vernons, Grade II listed (list entry number: 1221423),
- Evergreen and Fieldside, Grade II listed (list entry number: 1221424),
- Fourwinds, Grade II listed (list entry number: 1221425),
- Warmans, Grade II listed (list entry number: 1238479),
- Southview and The Nook, Grade II listed (list entry number: 1238480),
- Ryders, Grade II listed (list entry number: 1238482),
- Ryders Farmhouse, Grade II listed (list entry number: 1238483), and
- Rands, Grade II listed (list entry number: 1238484).



It is considered that, in line with Historic England's *The Setting of Heritage Assets* (GPA Note 3), the proposals would result in several adverse impacts to the settings of several designated heritage assets. Whilst the existing site of Stansted Airport is not considered to make a positive contribution to the setting of the heritage assets, the existing utilitarian nature and low heights of the present buildings and the large open spaces have a neutral effect within the settings of many of the heritage assets. As established by the 'Proposed Height Parameters Plan', the proposed development would result in the erection of buildings of substantial scale and massing, in particular Zone 1 to the north, visually impacting the wider setting of several designated heritage assets.

Regarding the statutory listed buildings of The Ash Inn, Warmans and Southview & The Nook, the proposed development would visually be intrusive as evident within Viewpoint 4. Given the separation between the heritage assets and the site, I consider this resultant harm to be less than substantial and at the low end of the scale. The proposed development, through its scale and massing, would detract from the wider rural setting and character of the heritage assets. Whilst it is understood that this is an Outline Application with details of scale and appearance reserved, heights should be minimised where possible and robust mitigation measures employed within any details following application.

To the north of the site is a cluster of designated heritage assets, this being North View & The Cottage, Avondale Cottage & Burton Cottage, The Thatch, Rennisons, The Haven & Vernons, Evergreen & Fieldside and Fourwinds. The existing site is not considered to positively contribute to the significance of the above heritage assets however the proposed development and its visual impact would fundamentally detract from the wider setting and rural character of the heritage assets, Zone One containing the tallest buildings, as evident from Viewpoint 2 and 3. The proposed development is therefore considered to result in less than substantial harm to the setting of these heritage assets, this harm being at the low end of the scale.

The statutory listed buildings of Bury Lodge Hotel and Barns to east of Bury Lodge Hotel are immediately adjacent to the site and are those most sensitive to change within their setting. The setting of the heritage assets has already been much eroded, the rural context of the listed buildings being adversely impacted by existing development, the wider setting and the rural character of the heritage assets has been much reduced to its more immediate environs. The proposals will result in additional harm to the setting of the designated heritage assets, the visual impact and enveloping nature of the proposed development would detract from their setting and the rural character of the site. This harm is held to be less than substantial and at the middle of the spectrum.

I do not consider there to be any harm to the significance of Ryders, Ryders Farmhouse and Rands.

The proposals are considered to result in less than substantial harm to several designated heritage assets, Paragraph 202 of the NPPF (2021) being relevant and contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This harm should be weighed against the public benefits of the proposal. The identification and the level of harm is in accordance with the applicant's heritage assessment.

Yours sincerely,

Thomas Muston BA (Hons) MSc  
Historic Environment Team  
Place Services

## ECC Place Services (Ecology)



25<sup>th</sup> August 2022

Maria Shoesmith  
Uttlesford District Council  
London Road  
Saffron Walden  
CB11 4ER

By email only

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*Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Uttlesford District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Application: UTT/22/0434/OP**

**Location: Land North of Stansted Airport**

**Proposal: Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting foodretail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved**

Dear Maria,

Thank you for re-consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Summary**

We have reviewed the documents supplied by the applicant including the Ecology Response Report (RSK Biocensus, dated 17 June 2022), Bat Survey Report (RSK Biocensus, June 2022) and Draft Biodiversity Impact Statement (RSK Biocensus, June 2022) which were submitted in relation to our previous comments, dated 25<sup>th</sup> May 2022. The submitted documents relate to the likely impacts of development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures.

We are now satisfied that there is sufficient ecological information available for determination of this application.





This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1, subsequent Volume 2 Annexes (RSK) and Bat Survey Report (RSK Biocensus, June 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats, nesting birds, reptiles and Badger.

It's noted that the proposed works will result in the loss of a bat roost and temporary disturbance to a Badger sett. Licences from Natural England will be required to undertake these works. A copy of the mitigation licence, or method statement for a registered site under a bat Class licence will need to be submitted to the LPA prior to commencement.

A Construction and Environmental Management Plan for Biodiversity (CEMP: Biodiversity) should be produced to outline how ecological receptors including retained habitats and Priority habitats as well as bats, nesting birds, reptiles and Badger will be protected during the construction period. Given the site lies within an Amber Risk Zone for the Great Crested Newt (GCN) District Level Licensing ([GCN Risk Zones \(Essex\) | Natural England Open Data Geoportal \(arcgis.com\)](#)) and suitable habitats are present in close proximity to the site, it is considered possible that GCN will be present. However, given the absence of GCN within ponds on site, through eDNA surveys it may be possible to manage potential impacts upon GCN using a precautionary method statement for GCN for the construction stage, including storage of materials. This precautionary method statement should be included within the CEMP: Biodiversity which should be secured by a condition of any consent, concurrent with reserved matters.

In line with the report recommendations, we recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats, especially around the retained and newly created woodland and hedgerows (particularly to the north and west of site). This lighting scheme should be secured by a condition of any consent, concurrent with reserved matters. This must follow the [Guidance Note 8 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm-White lights should be used preferably at 2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- If light columns are required, they should be as short as possible as light at a low level reduces the likelihood of any ecological impact. However, the use of cowls, hoods, reflector skirts or shields could also be used to prevent horizontal spill.
- Movement sensors and timers could be used to minimise the 'lit time'.

The Draft Biodiversity Impact Statement (RSK Biocensus, June 2022) has shown that there will be a net gain or no net loss in relation to Priority habitats, however, overall there will be a net loss in



Biodiversity Units. A Final Biodiversity Net Gain Design Stage Report should be secured by a condition of any consent, concurrent with reserved matters, to show how a net gain will be achieved either on site or by the use of off-site compensation.

A draft 15 Year Soft Landscape Maintenance and Management Plan (RSK, January 2022) detailing the proposed management of retained and proposed habitats was submitted with this application. The length of time required for on site management of habitats will be determined by the Defra Biodiversity Metric 3.1 (or any successor) and so this may need to be increased. This is required to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021. Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1 also mentions that bird and bat boxes can be incorporated into the proposals although details of how many and where they could be installed has not been provided. A Landscape and Ecological Management Plan (LEMP), to include details such as bird and bat box provision, should be secured by a condition and submitted concurrent with Reserved Matters stage if planning permission is granted.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

#### **Recommended conditions**

##### **1. CONCURRENT WITH RESERVED MATTERS ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1, subsequent Volume 2 Annexes (RSK) and Bat Survey Report (RSK Biocensus, June 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."*

**Reason:** To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).



**2. CONCURRENT WITH RESERVED MATTERS ACTION REQUIRED: SUBMISSION OF A COPY OF THE MITIGATION LICENCE FOR BADGERS**

*"Disturbance to a Badger sett shall not in in any circumstances commence unless the local planning authority has been provided with either:*

- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or*
- b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*

**Reason:** To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

**3. CONCURRENT WITH RESERVED MATTERS ACTION REQUIRED: SUBMISSION OF A COPY OF THE EPS LICENCE OR SUBMISSION OF THE METHOD STATEMENT RELATING TO A REGISTERED SITE UNDER A BAT MITIGATION CLASS LICENCE FOR BATS**

*"Any works which will impact the resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:*

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence; or*
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*

**Reason:** To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.



**4. CONCURRENT WITH RESERVED MATTERS PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY**

*"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.*

*The CEMP (Biodiversity) shall include the following.*

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to include the protection of retained and Priority habitats as well as bats, Great Crested Newt, nesting birds, reptiles and Badger.*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*
- i) Containment, control and removal of any Invasive non-native species present on site*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"*

**Reason:** To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).



**5. CONCURRENT WITH RESERVED MATTERS PRIOR TO COMMENCEMENT: FINAL BIODIVERSITY NET GAIN DESIGN STAGE REPORT**

*"A Final Biodiversity Net Gain Design Stage Report, in line with Table 2 of CIEEM Biodiversity Net Gain report and audit templates (July 2021), shall be submitted to and approved in writing by the local planning authority which provides a measurable biodiversity net gain, using the DEFRA Biodiversity Metric 3.1 or any successor.*

*The content of the Biodiversity Net Gain report should include the following:*

- *Baseline data collection and assessment of current conditions on site;*
- *A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;*
- *Provision of the full BNG calculations, with plans for pre and post development and detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;*
- *Details of the implementation measures and management of proposals;*
- *Details of any off-site provision to be secured by a planning obligation;*
- *Details of the monitoring and auditing measures.*

*The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."*

**Reasons:** In order to demonstrate measurable net gains and allow the LPA to discharge its duties under the NPPF (2021)

**6. CONCURRENT WITH RESERVED MATTERS, PRIOR TO BENEFICIAL USE: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

*"A Landscape and Ecological Management Plan (LEMP) including the provision of bird and bat boxes shall be submitted to, and be approved in writing by, the local planning authority prior to beneficial use of the development.*

*The content of the LEMP shall include the following:*

- a) *Description and evaluation of features to be managed.*
- b) *Ecological trends and constraints on site that might influence management.*
- c) *Aims and objectives of management.*
- d) *Appropriate management options for achieving aims and objectives.*
- e) *Prescriptions for management actions.*
- f) *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) *Details of the body or organisation responsible for implementation of the plan.*
- h) *Ongoing monitoring and remedial measures.*

*The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the*



*development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

**7. CONCURRENT WITH RESERVED MATTERS PRIOR TO BENEFICIAL USE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*"A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

Please contact us with any queries.

Yours sincerely,

**Ella Gibbs ACIEEM BSc (Hons)**  
Senior Ecological Consultant  
[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Uttlesford District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

## Crime Prevention Officer

Maria Shoesmith  
Planning Services  
Uttlesford District Council



Mrs. Heather Gurden  
Strategic Designing out Crime Manager  
Essex Police HQ  
Springfield, Chelmsford  
Essex, CM2 6DN

22nd March 2022

Dear Maria Shoesmith

Re: UTT/22/0434/OP- Land North of Stansted Airport

Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting food retail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved.

**UDC Local Plan Policy GEN2 - Design (d) states" It helps reduce the potential for crime"**

We note that this is an outline planning application therefore understand that the finer detail for a full response will not be available at this time, and that through consultation the current content may be subject to some changes in the future as the project evolves. The proposed regeneration is a significant development adjacent to Stansted Airport which has site specific safety and security requirements not only for the airport site but also for those locations that border it. We would welcome early and continued engagement with the developer to mitigate safety and security risks to this development and its neighbours, during construction through to completion and beyond.

Application documents such as the Design and Access Statement, the Design Code document, Lighting Strategy and Demolition Plan provide an abundance of information about the planned development but also produce a number of questions which would be better answered by continued consultation throughout the many phases of this development to ensure that crime is designed out rather resulting in the need to retrofit security measure post development. It is imperative to consider crime as a material consideration, the perception of crime and the fear of crime can be an influential factor in determining the synergy and ongoing sustainability of the wider community. Essex Police would recommend developers consider the foreseeability of crime and maximise on the opportunity to design such issues out, as to prevent the need for bespoke situational crime prevention measures in the future. Essex Police recommend that crime is deemed a material consideration throughout all aspects of the design and provide a 'Crime Risk Assessment' which will identify the potential risks. This will ensure that the scheme design and specification create a healthy, safe, and comfortable environment

We would like to see the 'Fire Strategy' expanded to include the other 'Blue Light' emergency services as these would also be part of any incident both on the airport or on sites immediately adjacent to it. We note that reference is made within the application comment from 'NAT' drawing attention to the need to ensure that the communications with aircraft are not compromised by the

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Essex Police Headquarters, PO Box 2, Headquarters, Springfield, Chelmsford, Essex CM2 6DN  
In an emergency always dial **999**. For non emergencies dial **101**.  
[www.essex.police.uk](http://www.essex.police.uk)

construction works or operation of the industrial site, the same assurance will also be needed by the emergency services operating at the airport with regards to their local communications.

Constructing well designed places, buildings and communities that promote both sustainable communities and health and wellbeing is an objective that the Essex Police Designing out Crime Office widely supports; however, it is imperative that they must also be safe, secure, and accessible.

With such a complex development containing many different potential risk types bordering a significant infrastructure site we would strongly recommend that the Designing out Crime Team, the Airport Policing Command and Road Policing Unit are given the opportunity to partake in any stakeholder consultations. The Roads Policing team who would wish for all provisions by the developer to cover the safety of all road users, and vulnerable road user groups such as cyclists and pedestrians, especially where the focus is now very much moving away from personal vehicles. Consideration is requested by developers to use the "Safe system approach" when designing local Roads. This will take into consideration the various Road user groups who wish to access them. It is essential that emergency vehicles can gain rapid access to any incident occurring within the whole development and surrounding neighbourhoods.

Having a strong working relationship between the developer and Essex Police will mitigate the crime risk to the development, promote a safe and cohesive environment for neighbouring residents, businesses, and infrastructure.

We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy and achieve a Secured by Design Commercial award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring that risk commensurate security is built into each property and the development as a whole. Such an award provides confidence to tenants, employees, visitors and neighbours that risk commensurate security measures have been incorporated into the design thereby positively impacting on their health and wellbeing.

The Essex Police Designing out Crime Team require further consultation as part of the planning process, and if there are any further queries around embedding designing out crime practices within the project, please do not hesitate to contact [designingoutcrime@essex.police.uk](mailto:designingoutcrime@essex.police.uk).

Yours Sincerely



**Heather Gurden AD Cert ED&CP, LCGI, MSyI, CAS**  
Strategic Designing Out Crime Officer (*SODOCO*)  
HQ Local Policing Support Unit  
Email: [designingoutcrime@Essex.police.uk](mailto:designingoutcrime@Essex.police.uk)



## Thames Water

Uttlesford District Council  
Council Offices  
London Road  
Saffron Waldon  
Essex  
CB11 4ER

Our DTS Ref: 54129 Your Ref: UTT/22/0434/OP

22 March 2022

Dear Sir/Madam

**Re: HANGAR 7, NINETH AVENUE, LONDON STANSTED AIRPORT, STANSTED, ESSEX ,  
CM24 1SG**

### **Waste Comments**

Thames Water are currently working with the developer of application UTT/22/0434/OP to identify and deliver the off-site FOUL WATER infrastructure needs to serve the development. Thames Water have identified that there is insufficient capacity within the foul water network to serve this development proposal and upgrades to the waste water network are required. Works are ongoing to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure. "There shall be no occupation until confirmation has been provided that either:- 1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. "Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

### **Water Comments**

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### **Supplementary Comments**

Please can the developer contact our developer services team, the development may need to be transferred to another Sewage Treatment Works.

Yours faithfully

Development Planning Department

Development Planning, Thames Water, Maple Lodge STW, Denham Way, Rickmansworth, WD3 9SQ [Tel:020 3577 9998](tel:02035779998) Email: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)

**To:** Development Control  
**From:** Claire Spendley  
**Tel:** 01992 531476  
**Date:** 09/01/2023  
**Planning Ref:** UTT/22/0434/OP  
**Subject:** Land North Of Stansted Airport

Notice is hereby given that the Environmental Health Department:

- a)  does not wish to restrict the grant of permission
- b)  recommends that permission be refused for reasons set out below.
- c)  Y advises that any permission which the Planning Authority may give shall include the conditions below.

Thank you for consulting this Service regarding the above application.

I have reviewed this application from an air quality perspective from an East Herts district level only, and have the following comments to make;

The current proposal results in an adverse impact on the Bishops Stortford AQMA therefore in order to provide appropriate mitigation against these impacts I would recommend the following condition is applied;

**Condition**

No development shall take place until a scheme of mitigation to address the adverse impacts of air pollution on the Bishops Stortford AQMA is submitted to and approved in writing by the local planning authority. No occupation of the units hereby consented shall take place until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

**Reason**

In order to ensure an adequate level of air quality for residents of the new dwellings in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

**ENDS**

Kindest regards,

Claire Spendley  
Environment Team Manager  
**Environmental Health**

## ECC Growth and Development Team

Essex County Council  
County Planning  
County Hall  
Chelmsford  
Essex CM1 1QH



Our ref:  
Your ref: UTT/22/0434/OP  
Date: 29<sup>th</sup> March 2022

Dear Sir/madam,

### **RE: Outline application by LandSec Properties – UTT/22/0434/OP Land north of Stansted Airport**

Thank you for consulting Essex County Council (ECC) on the above planning application.

ECC is a key infrastructure and service provider and is responsible for delivering and commissioning a wide range of strategic and local infrastructure requirements and public services to support and shape inclusive and healthy communities. ECC's role covers a wide range of statutory services including, but not limited to, highways and transportation, education, early years and childcare, minerals, waste, surface water management, passenger transport, adult social care, and public health. We also advise on, and have a material interest in, a number of other related place-making matters to assist in the determination of planning applications.

The Growth and Development team at ECC is responsible for coordinating single corporate responses for major development schemes and Nationally Significant Infrastructure Projects. We aim to work with Districts and to ensure that the County Council's interests and responsibilities to deliver quality and sufficient infrastructure in the right places and at the right time are effectively communicated, and to support good place-making and place-keeping for existing and future communities.

ECC has reviewed this outline proposal and accompanying documents and sets out here comments and recommendations on the proposed development at this site. Please note that transport comments are provided separately. ECC trusts that the following comments will be considered in the spirit within which they are provided, to assist with and to be taken into account, in the determination of this planning application.

### **Summary**

ECC is a key infrastructure and service provider with statutory responsibilities to ensure that the right infrastructure is delivered in the right place at the right time to support new and existing communities. ECC has carefully considered the information

submitted in support of this planning application. ECC would need to raise concerns about potential impact on local residents, if this development is unable to provide the necessary infrastructure, services and facilities to ensure effective mitigation.

### **Highways and Transportation**

Highways and Transportation comments will be forwarded as soon as possible.

### **Education and Early Years and Childcare**

There is ongoing consideration of the proposed nursery and comments will be forwarded as soon as possible. ECC welcomes the inclusion of childcare facilities to support people working at the site, as well as residents in the area who require access to local childcare.

### **Economic Growth and Skills**

#### Quantum and mix of units

The Planning Statement and Socio-Economics chapter of the Environmental Statement finds that:

- Only one direct job would be created per 87 sq. m of development
- Average GVA per job would be below the Uttlesford District average, which is already reported as being 21% below the UK average – a gap that is widening
- Only 7 to 9% of the jobs would be created in higher productivity sectors (use classes B2 and E(g)) – notwithstanding evidence presented about wage levels of B8 uses

These documents do not consider levels of out-commuting locally (only self-containment and in-commuting); however, the 2011 census indicates that almost one-third of economically active residents in Uttlesford commuted outside of the district for work.

We urge the Local Planning Authority to place limits on the quantum of B8 uses that could be delivered on site, to improve the contribution of this strategic site to the local economy – and, subsequently, outcomes for Essex residents and businesses.

Uttlesford District is already specialised in construction and retrofit (Location Quotient of the district 1.17 compared to Great Britain) and the site aligns well with occupier needs:

- Construction and retrofit - As the industry shifts towards Modern Methods of Construction (MMC), large factories may be required for off-site assembly. Essex already has three such facilities, but more will be required to meet projected growth. Given the land-hungry nature of MMC factories, they may be

more easily accommodated as part of larger employment areas such as Northside Stansted.

The scale and location of the site mean that it could also support new specialisms. Uttlesford District Council's Economic Development Strategy (2018) identifies life sciences, research and innovation, the rural and visitor economies as key sectors. ECC's interim Sector Development Strategy (2021) identifies five key sectors: advanced manufacturing and engineering, construction and retrofit, clean energy, digital, and life sciences (including MedTech and CareTech).

We note that the site aligns well with existing skills and innovation assets and occupier needs in the following two sectors:

- Advanced manufacturing and engineering - The advanced manufacturing and engineering sector needs a wide variety of sizes and types of business accommodation for component manufacture and assembly operations, but most will benefit from sites with good access to the strategic road network and public transport interchanges and adequate utilities capacity. Around 45% of Uttlesford residents are highly qualified employees (NVQ Level 4+), compared to around 35% across the South East LEP area and 40% across the UK.
- Research facilities will also be needed for the design, testing, and commissioning of new products and smaller-scale production processes. Teaching spaces and conference facilities can be important forums for knowledge-sharing and collaboration with partners. Anglia Ruskin University in Chelmsford provides relevant skills and innovation infrastructure, and clusters of high-tech companies are already established at EOS in Braintree and MODUS in Harlow. Innovation Districts may also emerge within existing employment areas as their uses continue to diversify.
- Life sciences (including MedTech and CareTech) - Businesses that design, test, and commission new products within the field of life sciences typically require controlled environments for different types of laboratories such as wet labs, microbiological / clinical labs, and in vivo labs. They require a highly qualified workforce, and teaching spaces and conference facilities can be important forums for knowledge-sharing and collaboration with partners.
- As well as a large workforce at Chesterford Research Park in Uttlesford, skills and innovation assets relevant to this sector include the Cell & Gene Therapy Catapult Vaccines Manufacturing Centre in Braintree and Arise Innovation Hub in Harlow. The UK Health Security Agency headquarters is also planned to be located in Harlow. Again, Innovation Districts may emerge within existing employment areas as their uses continue to diversify.

The scale and location of the site also offers opportunities to increase innovation and productivity amongst SME's. The minimum size of unit proposed is 2,000 sq. m. We would encourage the delivery of affordable workspace and/or an enterprise centre offering easy-in-easy-out terms to support start-ups. We would also encourage the

delivery of Grow-on Space (150 to 500 sq. m) for businesses that have outgrown their initial accommodation.

We welcome proposals to provide amenities for employees on-site; however, we were unable to identify where, how and when these might be delivered.

#### Placemaking

According to the current land use plan, some workers will be much further from usable green spaces than others. We welcome the commitment to “creating attractive pedestrian routes around the development to enable occupants to explore and enjoy the landscaped setting and the new community woodland area”; however, we would also encourage more green spaces within the centre of the masterplan area. Seek to ensure that the area facilitates and promotes walking and cycling around the development, rather than the use of the use of the private car.

Similarly, we welcome proposals to provide amenities for employees on-site; however, we were unable to confirm whether these would be easily accessible by pedestrian and cycle-friendly routes.

We welcome the commitment to “an open and permeable frontage to the estate roads which serve the development”, as shown in the artist’s impressions; however, some areas of the masterplan could be revisited to review location of surface car parking in relation to buildings and the carriageway.

We welcome the commitment to creating adaptable spaces by “to construct buildings that can be used by at least two kinds of occupier without significant structural alterations.”

Employment areas should be legible to those who are unfamiliar with the area, through measures such as character areas, landmark buildings, vistas and signage. The Essex Design Quality Review Panel should be used at an early stage in the design process.

#### Futureproofed broadband connectivity

There is no reference to internet connectivity in the Planning or Design and Access Statements. As per the Essex Design Guide, futureproofed internet access should be provided for all homes and businesses, ideally Fibre to the Premises (FTTP). Plans for such an approach should be submitted for review by Local Planning Authority.

#### Skills and innovation

The Planning Statement refers to a total figure of 5,000 people employed through development (Economic needs and market commentary refers to 1420 directly supported construction jobs) and operation (sustainability strategy refers to 2010 direct new jobs in operation, as part of 2650 net additional local jobs). These are expected to fall under ‘Transport and storage employment’ and ‘Scientific R&D employment’—any more detail on what this employment is anticipated to look like would be welcome.

The references above to key sectors (Construction, MMC, Advanced Manufacturing and Engineering, Life Sciences, etc) should be considered as part of the approach to maximising future skills and employment benefits. Further consideration should be given to ensuring jobs in these sectors are available to local residents – particularly for construction jobs which are, as noted in the Socio-Economics chapter, likely to be highly mobile.

It is also good to see reference to apprenticeships and opportunities for individuals returning to work as part of wider skills considerations.

We would encourage the delivery of an innovation centre providing business and innovation support (including to facilitate import and export trade) and physical space for collaboration. Consideration should be given to how formal / informal business and academic networks can be nurtured locally.

Further, consideration should be given to Stansted College and whether there may be opportunities to link in with emerging skill needs from Stansted Northside. Stansted College may be able to expand its offer to ensure that courses support local employment needs. ECC are separately aware that Stansted College is potentially looking at investment/expansion and would hope that this could embrace more of the digital skills required for the changing logistics sector, if this development is to be so logistics focussed.

#### Aviation

In regard to aviation, the site is not proposing aviation related activity and was considered surplus to MAG's needs. However, given the opportunities that the site may provide (e.g., logistics), there may be skills and training linkages that may be facilitated within Stansted College

#### Phasing and delivery

We welcome the proposal to speculatively deliver smaller units, and the commitment to deliver these to be net zero carbon including embodied energy. However, given the scale of the site, we would encourage consideration of a district-wide energy system.

We did not see any evidence of cross-subsidy between more and less viable uses or viability assessment to identify areas where public sector intervention may be required. For example, we note that the higher productivity uses (use classes B2 and E(g)) are assumed to be delivered towards the end of the development period, presumably by a third party. We would encourage consideration of how this could be delivered in an earlier phase, and whether it would require public sector intervention to achieve this.

We welcome the commitment to "A dedicated team at the estate operates 24 hours, 7 days a week, specifically charged with maintenance, landscaping and security of the estate", but would encourage more detail on how this will be funded in the long term.

## Transport and Access

There are concerns the scale of growth proposed may have a significant impact on local and strategic route networks. There is also a need to ensure that active travel is facilitated, as well as improvements to the bus network accessing the site, and also connections to the airport, to ensure that rail can be utilised for commuting rather than the private car.

Further, the cumulative impact of the development on the network needs to be considered. There are other roading within the vicinity of the site that would require attention. There would also be a need to ensure that the bus network links with airport to promote the use of the airport as a multi-modal transport hub, but also ensure that workers have the opportunity for public transport connections, and a frequent shuttle service from the airport to the employment site to facilitate such use. There are also aspirations to improve the cycle network and active travel within the area, so I would hope that this development can link in with that.

## **Digital Connectivity**

In line with the objectives stated in the Government's [Future Telecoms Infrastructure Review](#) 2018, all new developments should include provision of future proofed internet access, ideally Fibre to the Premises. In regard to 5G connectivity, reference should be made to the Essex Design Guides [Planning for 5G guidance](#).

## **Minerals and Waste Planning**

### **Minerals Matters**

#### Safeguarding Mineral Resources

Policy S8 of the MLP requires that a non-mineral proposal located within an MSA which exceeds defined thresholds must be supported by a Minerals Resource Assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance. This will ascertain whether there is an opportunity for the prior extraction of that mineral to avoid the sterilisation of the resource, as required by the National Planning Policy Framework (Paragraph 210). The NPPF requires policies that encourage the prior extraction of mineral where it is practical and environmentally feasible.

The MLP can be viewed on the County Council's website via the following link: <https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan>

The area of land associated with the proposed development does not exceed the 5ha threshold upon which local resource safeguarding provisions are applied for this mineral.



Therefore, a Minerals Resource Assessment (MRA) would **not** be required as part of a planning application on this site.

#### Mineral Infrastructure Matters

With regard to Mineral Consultation Areas, Policy S8 of the MLP seeks to ensure that existing and allocated mineral sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy S8 of the MLP defines Mineral Consultation Areas as extending up to 250m from the boundary of an infrastructure site or allocation for the same.

The application site does **not** pass through a Mineral Consultation Area (MCA) and therefore, a Mineral Infrastructure Impact Assessment (MIIA) would **not** be required as part of a planning application on this site.

#### Mineral Supply Audit

The MWPA requests a Mineral Supply Audit to aid in demonstrating compliance with the notion of sustainable development, circular economy principles and the application of Policy S4 of the adopted Minerals Local Plan 2014 (MLP) which requires, inter-alia, '*The application of procurement policies which promote sustainable design and construction in proposed development*'.

The MLP further notes that '*All developers have the potential to reduce over-ordering of construction materials and encourage more sustainable construction practices through their own procurement practices.*' A Minerals Supply Audit would feed into, or be considered alongside, a Site Waste Management Plan which accords with the MLP principle of 'Encouraging the re-use and recycling of construction, demolition and excavation wastes on-site' (MLP, Para 3.41) to provide a materials balance for major developments.

There is currently no set scope for a Mineral Supply Audit, but the framework in Appendix A has been submitted to the authority previously and could be modified to suit the project in question. Some approaches have included the commitment to sustainable procurement practices as well as demonstrating how recycling and re-use targets will contribute to a reduction in primary aggregate demand.

#### **Waste Matters**

##### Safeguarding Waste Infrastructure

Policy 2 of the WLP seeks to ensure that existing and allocated waste sites and infrastructure are protected from inappropriate neighbouring developments that may prejudice their continuing efficient operation or ability to carry out their allocated function in the future. Policy 2 defines Waste Consultation Areas as extending up to 250m from the boundary of existing or allocated waste infrastructure, unless they are Water Recycling Centres, where the distance increases to 400m.

The WLP can be viewed on the County Council's website via the following link:  
<https://www.essex.gov.uk/minerals-waste-planning-policy/waste-local-plan>

The application site does **not** pass through a Waste Consultation Area (WCA) and therefore, a Waste Infrastructure Impact Assessment (WIIA) is not required as part of the planning application.

### Site Waste Management Plan

Paragraph 8 of the NPPF recognises the importance of "using natural resources prudently and minimising waste" to ensure the protection and enhancement of the natural environment and to achieve sustainable development. It also reiterates the need to mitigate and adapt to climate change and move towards a low carbon economy. An efficient and effective circular economy is important to achieving these objectives.

Policy S4 of the Minerals Local Plan (2014) advocates reducing the use of mineral resources through reusing and recycling minerals generated as a result of development/ redevelopment. Not only does this reduce the need for mineral extraction, it also reduces the amount sent to landfill. Clause 4 specifically requires: "The maximum possible recovery of minerals from construction, demolition and excavation wastes produced at development or redevelopment sites. This will be promoted by on-site re-use/ recycling, or if not environmentally acceptable to do so, through re-use/ recycling at other nearby aggregate recycling facilities in proximity to the site."

It is vitally important that the best use is made of available resources. This is clearly set out in the NPPF and relevant development plan documents. We would therefore recommend that, in lieu of these issues being addressed prior to a decision, conditions are attached to require the applicant to prepare an appropriately detailed waste management strategy through a Site Waste Management Plan.

A SWMP would be expected to:

- present a site wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation,
- establish strategic forecasts in relation to expected waste arisings for construction,
- include waste reduction/recycling/diversion targets, and monitor against these,
- advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area.

### **Energy and Low Carbon**

We welcome the proposals for an all-electric space heating and power system for office areas in buildings as well as the reduction of embodied carbon and emissions throughout the construction phase. Further details on the proposed mitigation measures are welcomed in the upcoming energy strategy and details on the

proposed operational and lifetime emissions of the development should also be included. Details on the heating and power proposals for non-office areas should also be included, and the minimisation of GHG emissions from those elements of the development should also be explained.

We would strongly recommend the inclusion of battery storage to accompany the proposed onsite renewable energy generation and would highlight the opportunity to maximise renewable energy generation onsite to exceed the minimum proposed 25% of energy demand. The recently adopted ECAC recommendations included "all new build houses, industrial and commercial units to have solar panels installed immediately", "all new homes and all new commercial buildings granted planning permissions to be carbon zero by 2025 and carbon positive by 2030", and "all waste heat from industrial and commercial use to be captured and reused (where local demands exists) by 2035.". Further details on how the proposals meet these standards should also be included.

### **Environment and Green Infrastructure**

Having reviewed the Design and Access Statement, Biodiversity Validation Check, the Landscape Maintenance and Management Plan and the associated documents which accompanied the planning application, **we do not object** to the granting of UTT/22/0434/OP, however we would advise the following recommendations are considered to improve the GI network and help achieve net environmental gains:

#### Integration of GI into Building and Amenity Space Design

ECCs GI team recommends further exploration and consideration of GI in the fabric of building design, for instance via wildlife bricks, green roofs and walls, habitat creation invertebrate and dual-purpose street furniture/seating (i.e., a bench including a planter). The design of the street furniture and bin stores can contribute to the landscape character, reduce clutter of an area or street and act as a green corridor/link to the wider landscape scale GI network.

#### Ancient Woodland

As outlined in the Biodiversity Validation Checklist, the site includes the ancient semi-natural woodland of Stocking Wood, with the ancient woodland of Round Coppice Wood located across the road. Paragraph 180(d) of the National Planning Policy Framework (NPPF) states that "*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*". Whilst ECCs GI team recognises that significant development and urban features already surround these sites, it is recommended the appropriate landscape buffers, safeguards and mitigation measures are applied.

### Management and Maintenance Plan

ECCs GI team supports the '15 Year Soft Landscape Maintenance and Management Plan' submitted for application UTT/22/0434/OP and would expect yearly logs of the maintenance carried out in accordance with the Maintenance Plan. This information must be available for inspection upon a request by the Local Planning Authority.

This is to ensure that GI is maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure the high-quality and multi-functional benefits of GI assets.

### Construction Environmental Management Plan (CEMP)

The submitted '15 Year Soft Landscape Maintenance and Management Plan' does not include the construction period for application UTT/22/0434/OP. No development should take place until there has been submitted to and approved, in writing, by the Local Planning Authority a Construction Environmental Management Plan (CEMP). Ideally, strategic elements of the GI framework are brought forward in phase one of the development, to create a landscape structure or evidence is shown that substantive GI is secured as early as possible in initial phases of delivery to allow early establishment. Therefore, a Construction Environmental Management Plan (CEMP) will be required to set out how retained GI, such as trees, hedges and vegetation, as well as any nature designated sites (e.g., SSSI's etc.) will be protected during construction.

The phased implementation of new GI of the development construction will allow for the GI to mature and it will provide further benefit of reducing/buffering the aesthetic impact from the construction work

### Building with Nature – GI Standards

Moving forward, it is recommended that the development proposal applies the Building with Nature standards and achieves an accreditation to highlight what 'good' looks like at each stage of the green infrastructure lifecycle and strengthen the development and demonstrate the development goes beyond the statutory minima, to create places that really deliver for people and wildlife. The Building with Nature Standards has been developed by practitioners and policy makers, academic experts and end-users, and has been tried and tested in multiple schemes from Cornwall to Scotland and is endorsed by Natural England, who is reviewing the current national green infrastructure standards.

For more information, please visit here:

<https://www.buildingwithnature.org.uk/about>.

## **Conclusion**

I hope the above is of assistance – if you require further information on the contents of this single response, please contact [Lois Bowser](#). If a decision is made on the application, any delegated/committee report, decision notice and Section 106 agreement should be sent through to ECC upon publication.

Yours sincerely,

Matthew Thomas  
Head of Growth and Development

## UDC Planning Policy Team

<b>To</b>	Development Management
<b>From</b>	Joanna Hill, Planning Policy
<b>Date</b>	11 March 2022
<b>Application No</b>	UTT/22/0434/OP
<b>Case Officer</b>	Maria Shoesmith
<b>Proposal</b>	Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting foodretail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works, substation, strategic landscaping and cycle route with matters of layout, scale, appearance and other landscaping reserved.
<b>Location</b>	Land North Of Stansted Airport

### Adopted Local Plan 2005

The site is within the area defined as Stansted Airport.

1.10 There are sub regional policies, programmes and strategies for areas that include Uttlesford, such as:

Stansted Airport Employment and Training Strategy

Stansted Airport Sustainable Development Plan 2015, part of which is a surface access strategy.

Where development will take place includes:

2.2.2 A120 corridor.

2.2.5 *Stansted Airport*. The Plan sets out limits on the physical extent of the airport. It is to be seen as an airport in the countryside, a concept that originates from the original airport inquiry 1980-83.

#### Policy S4- Stansted Airport Boundary

The boundary of Stansted Airport is defined on the Proposals Map. Provision is made for development directly related to or associated with Stansted Airport to be located within the boundaries of the airport. Industrial and commercial development unrelated to the airport will not be permitted on the site.

**The site is within the Stansted Airport Boundary**

#### Policy AIR4 - Development in the Northern Ancillary Area

The area of land identified on the Inset Map as the northern ancillary area will be principally reserved for activities directly related to, or associated with, the Airport, such as business aviation facilities, hangarage, aviation fuel storage depots and all those activities listed in Policy AIR3.

**This policy was replaced in the withdrawn Regulation 19 Local Plan and evidence suggests should be replaced in the emerging Local Plan to remove the reservation for activities directly related to, or associated with, the Airport**

#### Policy S8 – The Countryside Protection Zone

In the Countryside Protection Zone planning permission will only be granted for development that is required to be there, or is appropriate to a rural area. There will be strict control on new development. In particular development will not be permitted if either of the following apply:

A) New buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside;

b) It would adversely affect the open characteristics of the zone.

**The proposal is contained within land which has existing airport use. It is not encroaching into the CPZ. The CPZ adjoins the site to the north east.**

4.9 Land at Stansted Airport is identified specifically for development directly related to or associated with the airport. Industrial and commercial development unrelated to the airport will not be permitted on site. It is not included within the employment land proposals for the expansion of existing firms and the introduction of new employment because of these restrictions on its use.

## **National Planning Policy Framework (July 2021)**

Para 20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision<sup>13</sup> for:

a) housing (including affordable housing), employment, retail, leisure and other commercial development

### **6. Building a strong, competitive economy**

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation<sup>42</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

82. Planning policies should:

a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;

c) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

106. Planning policies should:

a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;

e) provide for any large scale transport facilities that need to be located in the area<sup>1</sup> and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements; and

f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy<sup>2</sup>

Para 123 Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework

## **Parish/Town Plan or Design Statement**

N/A

<sup>1</sup>

<sup>44</sup> Policies for large scale facilities should, where necessary, be developed through collaboration between strategic policy-making authorities and other relevant bodies. Examples of such facilities include ports, airports, interchanges for rail freight, public transport projects and roadside services. The primary function of roadside services should be to support the safety and welfare of the road user (and most such proposals are unlikely to be nationally significant infrastructure projects).

<sup>2</sup> Department for Transport (2015) General Aviation Strategy

#### **Withdrawn Local Plan (2019)**

The previously withdrawn Regulation 19 draft plan has no weight. Given the evidence informing the emerging Local Plan indicates a similar direction of travel Policy SP11 is noted below in so far as the concept of non-airport related growth on this land is likely to be carried forward into the new plan (full policy appended):

#### **Sustainable growth of London Stansted Airport will be supported in principle, subject to conformity with the environmental and transport framework set out in Policy SP11 – London Stansted Airport.**

Policy SP11 makes provision for the airport to respond positively to future growth opportunities and continue to make significant sub regional and national contributions to economic development, jobs and wealth creation while setting a clear environment and transport framework with which to regulate future growth. The North London Stansted Employment Area is included within the Strategic Allocation for a range of Use Class B employment development.

#### **Northern Stansted Employment Area**

This 55 hectare site is allocated for B2 and B8 Employment uses.

B1, B2 and B8 employment uses are acceptable in principle at this location but will not be restricted to airport-related employment. Small scale ancillary retail and leisure (as defined in Use Classes A1 to A3 and D2) will be permitted in order to serve the needs primarily, of employees in the area. The Council will require proposals to be subject to a comprehensive development brief or Master Plan which shall set out the proportion and phases of development.

#### **Local Plan Evidence Base**

Uttlesford Employment Needs & Economic Development Evidence (Iceni - November 2021)

#### **Employment in and around Stansted airport are extremely important to the economy of Uttlesford**

Stansted Airport is the largest employer in Uttlesford District – around 1/3 of employment in Uttlesford is within Stansted airport and its environs. Around three quarters of employment in this area are in Transportation and storage and Accommodation and food service.

Stansted airport and Birchanger are home to 60% of the larger business units in Uttlesford.

Office demand is focused generally on local SME businesses and particularly space of up to 20,000 sq.ft. The market is difficult at the time of writing (July 2021) influenced by Covid-19. It is reported that that outstanding requirements are all for small and medium-sized units, with little demand for larger HQ office space. Rents around Stansted Airport achieve around £19 psf which is below viable for speculative development. The new-build office scheme at Trisail Towers has been on the market for five years, but appears unlikely to come forwards in the short-term given viability challenges.

A lack of **industrial supply** is noted in Uttlesford and more generally within 10 miles of Bishops Stortford with a 98% occupancy level within the industrial market. Demand outstrips supply and there is a need to bring forward new development. Within a 10 mile radius of the Airport, agents report significant requirements. There is demand for industrial space in a range of small, medium and large size bands across the District including from established manufacturing businesses in the District. Additional supply is needed, particularly close to M11 Junction 8, which is the area of strongest occupier demand. Demand exists for smaller rural premises across the district and around the smaller towns and villages.

#### **Employment Land Needs to 2040**

1.23 For offices Iceni therefore considers a range of 4.0-6.3 ha is a reasonable provision for the office market based on a labour demand model and taking into account a discount for R&D premises growth.

1.24 For industrial 18.9 ha should be considered as a minimum with 27.2 ha being a pragmatic and recommended level of net growth that facilitates new premises for business over the Plan period. This reflects that the vast majority of premises are essentially full and there is justification to support business growth through new allocations. Iceni's of the view that the development at Northside should



not be considered suitable supply for the general industrial needs established here, given the very large nature of units which, certainly for phase one, are large scale and strategic in nature and not relating to the historic and local development patterns.

1.25 The pattern of future allocations should be considered in full as the Local Plan Spatial Strategy developed. At present our view is that Great Dunmow has the strong local industrial market with a range of local businesses. We consider that the allocation of 5-10 ha or more of employment land would be justified. Saffron Walden is the largest settlement. Given the size of the settlement there is limited existing employment land provision. The allocation of some additional land (c. 2-4 ha) would therefore be warranted through the Local Plan having regard to current provision and to support sustainable development. Historic take-up data shows a strong preference for industrial type business to be located up to 5 miles from Stansted where it can access the M11, population centres at Bishop's Stortford and supply chain and business benefits of Stansted Airport. Further industrial and business space should be considered for allocation in this area, beyond Northside.

#### ***Industrial and Logistics Market***

5.31 Uttlesford is not however particularly a market for 'big box' logistics space which is more focused towards major motorway corridors such as, within the East of England, the M1 corridor through Hertfordshire and Bedfordshire. There is no evidence of big box take-up in the District over the last decade. However, proposals for 200,000 sq.m. of Warehousing space at Northside (adjacent to Stansted Airport) suggests that there is demand for 'big box' space, which is reasonable, given the growth of online retailing, the presence of the airport and proximity to London

5.32 East of England, LSH reports industrial take-up in 2020 which was 30% above the 5 year average at 5.2 million sq.ft. The available supply of units is 2.0 years for the mid-box units, and less than this for larger/ extra-large sizes.

#### **Northside**

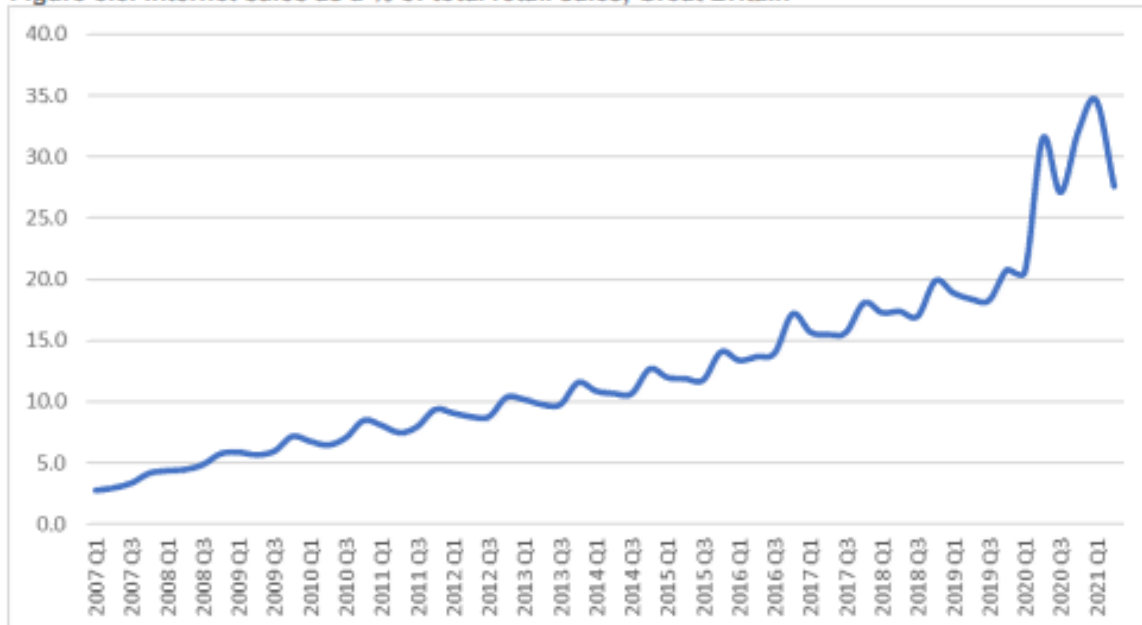
8.25 The airport owners, Manchester Airports Group (MAG), have brought in a development partner – Columbia Threadneedle – to bring forward development of land at Northside, on the northern side of the Airport.

8.26 Around 2.1million sq.ft (200,000 sqm) of principally B8 warehousing development is envisaged, driven by sub-regional/ regional growth in demand for warehousing and logistics space, influenced by structural economic trends including the shift towards e-retailing. It is expected that the early phases of development will be targeted at 'big box' logistics exceeding 100,000 sqft and possibly much larger, although later phases could be smaller units. This reflects the target occupiers as being regional / national occupiers rather than meeting the needs of local businesses.

8.27 Whilst the 2005 Local Plan dictates that this site should be used for Aviation related activities, Stansted Airport's owner-operators don't believe that the site is required for this use and hence it is deemed appropriate that the site is not limited to this use.

8.28 The chart below sets out the shift in retail spending between physical retail space and e-retailing. This structural shift has evidently resulted in a growing take-up of warehousing space which has risen to historical highs, and the expectation is that further growth in internet sales could support further growth.

Figure 8.3: Internet sales as a % of total retail sales, Great Britain



Source: ONS

8.29 Icen consider that whilst Uttlesford has historically seen minimal growth of 'big box' logistics uses, this reflects a lack of available supply. The locational attributes of this site – its proximity to the M11, ability to draw on labour from a number of surrounding towns, and proximity to London as a major market for goods – mean it would be commercially attractive for these types of activities.

8.30 Oxford Economics, for the scheme promoters, estimate that the scheme will deliver around **2,600 net additional jobs** with associated growth in GVA of £76.6, potentially phased from 2023-30. This suggests employment densities of around 80 sqm per FTE however larger units may be closer to 95 sqm per FTE whilst smaller units could be lower. There are also expected to be temporary construction job benefits of around 1,500 temporary jobs that are likely to involve trades from around the region.

#### Stansted Airport

12.16 In May 2021, Stansted Airport secured planning consent (through appeal) for expansion to 43 million passengers per year. Additional Direct On-Airport **Additional employment of 3,000 is expected in the Plan period.** Potentially 400-500 additional jobs could be created through indirect and induced employment.

12.17 The airport owners, Manchester Airports Group (MAG), have brought in a development partner – Columbia Threadneedle – to bring forward development of land at **Northside**, on the northern side of the Airport. Around 2.1million sq.ft (200,000 sqm) of principally B8 warehousing development is envisaged. It is expected that the early phases of development will be targeted at 'big box' logistics exceeding 100,000 sqft and possibly much larger. This reflects the target occupiers as being regional / national occupiers rather than meeting the needs of local businesses. Oxford Economics, for the scheme promoters, estimate that the **scheme will deliver around 2,600 net additional jobs.**

#### Economic Growth outlook

12.18 Icen has considered baseline forecasts by Cambridge Econometrics which report 61,500 jobs by 2040 from a start of 53,900 in 2019. Based on potential developments at Stansted Airport, Northside and Chesterford Research Park, Icen is of the view that employment could reach 66,600 by 2040 and that this is a more realistic figure.

### **Affordable workspace**

**11.22** The market analysis and business engagement undertaken by Icenl has identified a floorspace affordability issue in the office and employment market in Uttlesford particularly relating to better quality spaces. The workspace market can be difficult for micro-enterprise and SME's to enter. As noted elsewhere, there appears to be a role for the public sector in developing and managing smaller quality units which the market can find it difficult to achieve viably.

11.23 Affordable Workspace can be defined as workspace that has a rental value below the market rate (generally, 80% of the market rate or less). The lower rates mean that occupation tends to be feasible for small or start up enterprises. Therefore, by providing affordable workspace it can help local entrepreneurs and firms to have security and to be protected from rising rents and displacement.

11.24 London authorities and the GLA provide good examples of planning policies that seek to secure affordable workspace. These use Section 106 agreements in order to deliver affordable workspace.

### **Comments**

Development at Northside is of regional importance, reflecting needs beyond the district, due to the importance of Stansted Airport and the delivery of transport services, related services and business, and employment in the East of England.

Northside should **not** be considered suitable supply for the general industrial needs for the rural economy of the Uttlesford District, given the very large nature of units which, certainly for phase one, are large scale and strategic in nature and not relating to the historic and local development patterns.

The Council is in the process of preparing the Regulation 18 Local Plan. Consideration will be made for Planning policies that can widen the benefits of employment growth to surrounding communities. The Employment Needs Report (Icenl 2021):

11.10 Planning policy can be applied to new developments where there are opportunities to provide apprenticeships or training thus raising skills and attainment and supporting people into higher paid employment, potentially connecting employers and employment opportunities to local schools, colleges, training organisations and voluntary services. It seems reasonable to include such policies as a matter of course to encourage local skills and employment development and should generate little burden on the developer / contractor.

11.11 There are a number of authorities in London and the South East that have effectively adopted example policies. Lambeth, Reading and Barnet have set out a policy requirement (as part of Section 106 planning obligation) to access employment opportunities created by the development. This includes creating apprenticeships, using local labour supply and providing training for young people – and where initiatives could not be met in developments, a financial contribution would be considered.

Uttlesford District Council will be considering a requirement for S106 planning obligations to develop a site-specific Employment and Skills Plan (ESP). These are likely to cover the following outcomes:

- Number of apprenticeships,
- Employment and training initiatives,
- Training and work experience for younger people, including those who are not in employment, training or education,
- Best endeavours to maximise local labour;
- Local procurement agreement - potential for local businesses to be included in tender list.

Given the importance of Stansted Airport College in the delivery of training and apprenticeships related to the businesses in and around the airport, they would be an important consultee for Northside and any ESP.

The market analysis and business engagement undertaken by IcenI has identified a floorspace affordability issue in the office and employment market in Uttlesford particularly relating to better quality spaces. The workspace market can be difficult for micro-enterprise and SME's to enter. The new Local Plan would be looking to include Policy to increase the provision of affordable. This may include for example:

10% of affordable workspace must be included for employment developments over 1,000 sqm, leased to the council for a peppercorn rent for 20 years and managed by a council approved Workspace Provider. Rental values for end occupiers will ultimately depend on the quality of space and its location. All proposals which provide affordable workspace must prepare an Affordable Workspace Statement.

If not on-site then equivalent re-provision in an alternative area could be considered.

**The site is of regional importance but there is environmental impact on Uttlesford and we would seek to secure benefits for Uttlesford, through an Employment and Skills Plan and contribution to provision of affordable workspace.**

The site has excellent access to the road and rail network, the transport and environmental impacts will need to be identified and addressed, including assessment of carbon emissions and climate change sustainability. The recent Strategic Land Availability Assessment Technical Consultation has revealed that there is not access to the airport for active travel (on foot and cycle) which is a consideration. In the future, there may be a Rapid Transit System in the south of the district, linking neighbouring districts, however this is yet to be determined.

Northside will be an important employment generator, and consideration needs to be given to staff movements to and from the site. It is particularly important to use this as an opportunity to enhance the existing public transport network at the airport and not to compete with it. One reason for this is that the existing bus network has been established to a degree by S106 funding from airport expansion.

It is understood via the Stansted Airport Transport Forum that all employees would be offered use of the Airport Staff Travelcard, which gives discounts on fares on the airport's public transport network.

## **Conclusion**

The policy restricting the site to aviation related uses is out of date, and more recent evidence indicates it is no longer needed to be restricted to these uses. Furthermore, the evidence informing the emerging Local Plan indicates this site's locational attributes – its proximity to the M11, ability to draw on labour from a number of surrounding towns, and proximity to London as a major market for goods – mean it would be commercially attractive for 'big box' logistics as well as other uses.

Any employment provision on site would reflect a wider regional need than that of the rural district of Uttlesford.

Consideration should be made in S106 agreements to contribute to

- A site-specific Employment and Skills Plan
- Provision of affordable workspace

To conform to Uttlesford Climate Crisis Strategy, other requirements include:

- Sustainable construction methodology and plan
- Submission of a climate change sustainability statement that will be required in the new plan for major developments that highlights issues around carbon emissions and mitigation.

Withdrawn Regulation 19 Local Plan:

1. They are directly related to airport use of development, apart from within the North Stansted Employment Area ;
2. They contribute to achieving the latest national aviation policies;
3. They are in accordance with the latest permission;
4. Do not result in a significant increase in Air Transport Movements or air passenger numbers that would adversely effect the amenities of surrounding occupiers, or the local environment or transport networks (in terms of, noise, disturbance, air quality and climate change impacts);
5. Achieve further noise reduction or no increase in day or night time noise in accordance with the airport's most recent Airport Noise Action Plan (approved by the Secretary of State on a five yearly basis);
6. Include an effective noise control, monitoring and management scheme that ensures that current and future operations at the airport are fully in accordance with the policies of this Plan and any planning permission that has been granted;
7. Include proposals which will over time result in a proportionate diminution and betterment of the effects of aircraft operations on the amenity of local residents and occupiers and users of sensitive premises in the area, such as through measures to be taken to encourage fleet modernisation or otherwise;
8. Incorporate sustainable transportation and surface access measures in particular which minimise use of the private car, and maximise the availability and use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Stansted Sustainable Development Plan;
9. Incorporate suitable road access for vehicles including any necessary improvements required as a result of the development and demonstrate that the proposals do not adversely affect the adjoining highway network; and will not lead to detriment to the amenity of the area and neighbouring occupiers;
10. Be consistent the latest Sustainable Development Plan for the Airport.

**Northern Stansted Employment Area**

This 55 hectare site is allocated for B2 and B8 Employment uses.

## Policy SP 11

### London Stansted Airport

Sustainable growth of London Stansted Airport will be supported in principle and is designated as a Strategic Allocation in the Local Plan. The Strategic Allocation (see Policies Map) includes land within the existing airport operational area and incorporates the North Stansted Employment Area. The wider strategic allocation serves the strategic role of London Stansted Airport and associated growth of business, industry and education, including aviation engineering, distribution and service sectors and the airport college which are important for Uttlesford, the sub-regional and national economy.

#### Airport Safeguarding

Development that would adversely affect the operational integrity or safety of London Stansted Airport will not be permitted. With respect to operational and national security considerations, this includes (but is not limited to) concerns over the height of buildings, lighting, bird activity and proximity to Public Safety Zones. The 1:10,000 and the 1:100,000 risk contours are shown on the Policies Map. Within the 1:10,000 risk contour no residential or employment uses will be permitted. Within the 1:100,000 risk contour permission will only be granted for extensions or changes of use or low density development.

#### Access to London Stansted Airport

London Stansted Airport's role as a national, regional and local transport interchange will be maintained. The necessary local and strategic transport infrastructure and rail, coach, bus service, pedestrian and cycle capacity to accommodate the passenger and employee trips and other journeys via connections at the airport must be maintained and enhanced. An integrated approach must be demonstrated within the framework of a surface access strategy.

To assist development of new rapid transit options between the airport and new and existing communities, land will be safeguarded to allow access at the terminal. The council will seek financial contributions from the airport operator for the delivery of an appropriate scheme.

#### Airport Development

Proposals for the development of the airport and its operation, together with any associated surface access improvements, will be assessed against the Local Plan policies as a whole. Proposals for development will only be supported where all of the following criteria are met:

B1, B2 and B8 employment uses are acceptable in principle at this location but will not be restricted to airport-related employment. Small scale ancillary retail and leisure (as defined in Use Classes A1 to A3 and D2) will be permitted in order to serve the needs primarily, of employees in the area. The Council will require proposals to be subject to a comprehensive development brief or Master Plan which shall set out the proportion and phases of development.

#### Airport-related Car Parking

Proposals for airport related car parking should be located within the Airport Strategic Allocation, as shown on the Policies Map (excluding North Stansted Employment Area). Appropriate mechanisms will be sought to make sure that all on airport car parking is integrated into and contributes to funding of the airport surface access strategy. Proposals for airport related car parking outside this area will only be permitted where all of the following criteria are met:

9. There is demonstrated to be a long-term car parking need that cannot be met within the Airport Strategic Allocation;
10. They relate well to the strategic road network and do not exacerbate traffic congestion;
11. They do not have an adverse impact on amenity; and
12. They are in accordance with the most recent Sustainable Development Plan for London Stansted.

#### London Stansted Airport Strategic Allocation

Development proposals at the London Stansted Airport Strategic Allocation will ensure:

13. Appropriate strategic landscaping will be provided both on and off site, which shall have regard to the potential for significant visual prominence within the wider area of built development and which does not increase risk to aviation operations arising from structures, lighting, bird strike or open water and having regard to operational and national security considerations; and
14. The height and design of buildings will reflect the site's countryside setting, its visibility from surrounding countryside; and
15. Provision is made for sustainable drainage and the disposal of surface water in order to prevent any harm occurring to neighbouring land.

#### Strategic Landscape Areas

Development will not be permitted within those areas identified as strategic landscape areas on the Policies Map Inset.

## ECC Specialist Archaeological Advice

Place Services  
Essex County Council  
County Hall, Chelmsford  
Essex, CM1 1QH  
T: 0333 013 6840  
www.placeservices.co.uk



Nigel Brown  
Planning and Development Control Manager  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
CB11 4ER

Date: 14<sup>th</sup> March 2022

### Specialist Archaeological Advice

Dear Nigel

#### UTT/22/0434/OP Land North of Stansted Airport

The Historic Environment Advisor of Essex County Council has identified the above application from the weekly list.

The following recommendations are in line with the new National Planning Policy Framework paragraph 205.

#### **RECOMMENDATION: 1 An Archaeological Programme of Trial Trenching followed by Open Area Excavation**

1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.
2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.
3. A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority following the completion of the archaeological evaluation.





4. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.
5. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

### **Recommendation 2 Building Recording**

1. No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a written scheme of investigation (WSI) to be submitted by the applicant and approved in writing by the local planning authority.
2. No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI submitted.
3. The applicant will submit to the local planning authority a report detailing the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI .

### **Reason for Archaeological recommendation**

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application.

The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES

has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II construction, however, a number of the archaeological sites already excavated have shown a high level of preservation beneath elements of the WWII airfield.

This office would largely agree with the Receptors and Receptor sensitivity identified in 12.48, however, considering the extent of Roman burials and other occupation in the adjacent long term car parks we would recommend that the Roman remains are also identified as of high potential.

Within the mitigation section (12.60-12.66) this office would support the proposal for evaluation trenches on all areas of development, to include those within the present built up area, and the 2 high voltage under ground cables and the new buildings on the present fields to the north, followed by open area excavation, with a programme of building recording on those structures which warrant recording prior to demolition. We would not recommend a programme of watching brief on any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office or signed off by this office.

If you have any questions, please do not hesitate to contact me.

Yours sincerely



**Richard Havis**  
**Principal Historic Environment Advisor**



***NOTE:** This letter is advisory and should only be considered as the opinion formed by specialists in relation to this particular matter.*



## Essex Fire and Rescue



Essex County  
Fire & Rescue Service

**Rick Hylton**  
Chief Fire Officer / Chief Executive

Planning Department  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
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CB11 4ER

North West Group Delivery Point  
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Enquiries to: Belinda Moroney Fire Safety Officer  
T: +44(0) 1376 576800  
[northwestgroupdp@essex-fire.gov.uk](mailto:northwestgroupdp@essex-fire.gov.uk)

Our Ref: 90589  
Your Ref: UTT/22/0434/OP  
Date: 01 March 2022

Dear Sir/Madam

**Re: Town & Country Planning Act 1990**

**Planning Application N<sup>o</sup>: UTT/22/0434/OP**

**Description: Outline application for demolition of existing structures and redevelopment of 61.86Ha to provide 195,100sqm commercial / employment development predominantly within Class B8 with Classes E(g), B2 and supporting foodretail/ food/beverage/nursery uses within Classes E (a), E(b) and E(f) and associated access/highway works.**

**Location: Land North of Stansted Airport**

Thank you for your letter dated 28/02/2022 in which you directed this Authority to your website.

The application has been considered and I draw your attention to the following comments:

**Access**

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and is acceptable provided that the arrangements are in accordance with Building Regulations and details contained in Approved Document B volume 2 requirement B5.

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.

**Building Regulations**

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

**Our vision is to make Essex a safe place to live, work and travel**

ECFRSV9  
SL30

1

Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

### **Water Supplies**

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344.

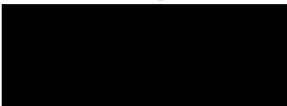
### **Sprinkler Systems**

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

If you have any further queries, then please contact the above Officer quoting our reference number.

Yours faithfully

A black rectangular redaction box covering the signature of Belinda Moroney.

Belinda Moroney  
**Protection**

## ECC Minerals & Waste Team

**From:** [Emma Robinson - Planning Technician](#)  
**To:** [Planning](#)  
**Cc:** [Philip Dash - Principal Planning Officer](#)  
**Subject:** [External] FW: Planning Application Consultation - N UTT/22/0434/OP  
**Date:** 22 February 2022 13:44:26  
**Attachments:** [vfm47\\_CONS - Consultee Letterm.pdf](#)

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Dear Planning team

Thank you for your email consulting the Mineral and Waste Planning Authority on the above application. The Mineral Planning Authority has no comment to make in relation to this application as the area of the proposed development site located within the Essex sand and gravel Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 5ha.

Many thanks

Emma

Emma Robinson

Planning Technician

Planning Service

Essex County Council



## Cadent Gas

**From:** [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)  
**To:** [Planning](#)  
**Subject:** [External] LSBUD Ref: 24731564 Your Ref: UTT/22/0434/OP DBYD MP-LP High Risk  
**Date:** 15 February 2022 11:05:55  
**Attachments:** [24731564\\_CadentGas.pdf](#)

---

Date: 15/02/2022  
LinesearchbeforeUdig ref: 24731564  
Your ref: UTT/22/0434/OP

Dear Sir/Madam,

### **Your planning application – No objection, informative note required**

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

#### **What you need to do**

To prevent damage to our assets or interference with our rights, please add the following **Informative Note** into the **Decision Notice**:

*Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.*

*If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)*

*Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.*

#### **Your responsibilities and obligations**

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) or on 0800 688 588 quoting your reference at the top of this letter.

**Kind Regards,**  
Plant Protection Team  
T: 0800 688 588  
[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)  
[cadentgas.com](http://cadentgas.com)

**Gigaclear Ltd**



Our Ref: 24731564    Your Ref: UTT/22/0434/OP

Tuesday, 15 February 2022

Lynn Rusling  
Council Offices London Road  
Saffron Walden  
Essex  
CB11 4ER

Dear Lynn Rusling

**Gigaclear Ltd - Asset Network Plans**

We acknowledge with thanks your request for information on the location of our assets.

Please find enclosed plan(s) showing the approximate position of our apparatus known to be in the vicinity of this site.

I attach conditions and information regarding our network, including our contact numbers. Please ensure that this detail is made available to anyone carrying out any works which may affect our apparatus.

Should you require further details, please call me at your convenience.

Yours sincerely,

**Gigaclear Ltd**  
01865 591 121  
diversions@gigaclear.com

# UK Power Network



Registered Office:  
Newington House  
237 Southwark Bridge Road  
London SE1 6NP

Company:  
UK Power Networks (Operations)  
Limited

Registered in England and Wales No: 3870728

Our Ref: 24731564    Your Ref: UTT/22/0434/OP

Tuesday, 15 February 2022

Lynn Rusling  
Council Offices London Road  
Saffron Walden  
Essex  
CB11 4ER

Dear Lynn Rusling

Thank you for contacting us regarding UK Power Networks equipment at the above site. I have enclosed a copy of our records which show the electrical lines and/or electrical plant. I hope you find the information useful.

I have also enclosed a fact sheet which contains important information regarding the use of our plans and working around our equipment. Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works.

Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

If you have any further queries do not hesitate to contact us.

Plan Provision  
0800 056 5866



This information is made available to you on the terms set out below. If you do not accept the terms of use set out in this fact sheet please do not use the plans and return them to UK Power Networks.

1. UK Power Networks does not warrant that the information provided to you is correct. You rely upon it at your own risk.
2. UK Power Networks does not exclude or limit its liability if it causes the death of any person or causes personal injury to a person where such death or personal injury is caused by its negligence.
3. Subject to paragraph 2 UK Power Networks has no liability to you in contract, in tort (including negligence), for breach of statutory duty or otherwise how for any loss, damage, costs, claims, demands, or expenses that you or any third party may suffer or incur as a result of using the information provided whether for physical damage to property or for any economic loss (including without limitation loss of profit, loss of opportunity, loss of savings, loss of goodwill, loss of business, loss of use) or any special or consequential loss or damage whatsoever.
4. The information about UK Power Networks electrical plant and/or electric lines provided to you belongs to and remains the property of UK Power Networks. You must not alter it in any respect.
5. The information provided to you about the electrical plant and/or electric lines depicted on the plans may NOT be a complete record of such apparatus belonging to UK Power Networks. The information provided relates to electric lines and/or electrical plant belonging to UK Power Networks that it believes to be present but the plans are not definitive: other electric lines and/or electrical plant may be present and that may or may not belong to UK Power Networks.
6. Other apparatus not belonging to UK Power Networks is not shown on the plan. It is your responsibility to make your own enquiries elsewhere to discover whether apparatus belonging to others is present. It would be prudent to assume that other apparatus is present.
7. You are responsible for ensuring that the information made available to you is passed to those acting on your behalf and that all such persons are made aware of the contents of this letter.
8. Because the information provided to you may not be accurate, you are recommended to ascertain the presence of UK Power Networks electric lines and/or electrical plant by the digging of trial holes. Trial holes should be dug by hand only.

Excavations must be carried out in line with the Health and Safety Executive guidance document HSG 47. We will not undertake this work. A copy of HSG 47 can be obtained from the Health and Safety Executives website.

All electric lines discovered must be considered LIVE and DANGEROUS at all times and must not be cut, resited, suspended, bent or interfered with unless specially authorised by UK Power Networks.

The electric line and electrical plant belonging to UK Power Networks remains so even when made dead and abandoned and any such electric line and/or electrical plant exposed shall be reported to UK Power Networks.

Where your works are likely to affect our electric lines and/or electrical plant an estimate of the price of any protective /diversionary works can be prepared by UK Power Networks Branch at Metropolitan House, Darkes Lane, Potters Bar, Herts. , EN6 1AG, telephone no. 0845 2340040



- 9 Any work near to any overhead electricity lines must be carried out by you in accordance with the Health and Safety Executive guidance document GS6 and the Electricity at Work Regulations.

The GS6 Recommendations may be purchased from HSE Books or downloaded from the Energy Networks Association's website.

If given a reasonable period of prior notice UK Power Networks will attend on site without charge to advise how and where "goal posts" should be erected. If you wish to use this service, in the first instance please telephone: 0845 6014516 between 08:30 and 17:00 Monday to Friday.

10. You are responsible for the security of the information provided to you. It must not be given, sold or made available upon payment of a fee to a third party.
11. If in carrying out work on land in, on, under or over which is installed an electric line and/or electrical plant that belongs to UK Power Networks you and/or anyone working on your behalf damages (however slightly) that apparatus you must inform immediately UK Power Networks by our emergency 24 hour three digit telephone number **105** providing;
- your name, address and telephone number;
  - the date, time and place at which such damage was caused;
  - a description of the electric line and/or electrical plant to which damage was caused;
  - the name of the person whom it appears to you is responsible for that damage;
  - the nature of the damage.
12. The expression "UK Power Networks" includes UK Power Networks (EPN) plc, UK Power Networks (LPN) plc, UK Power Networks (SEPN) plc, UK Power Networks and any of their successors and predecessors in title.





## Appendix 3 – Late List Amended Conditions

### Conditions

1. Approval of the details of layout, access, scale, strategic and individual plots landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

Reason:

In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of ~~three~~ five years from the date of this permission.

Reason:

In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.

Reason:

In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

Reason:

For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority before occupation of the development or any

phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

In the interests of the appearance of the site and area in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

6. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with policy GEN2 of the Uttlesford Local Plan (adopted 2005).

7. Prior to the [above ground level](#) construction of any phase the materials to be used in the construction of the external surfaces of that phase/plot shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

8. The development shall accord with parameters land use, heights and landscaping set out in the Design Code submitted as part of the planning application.

Reason:

In the interest of the design of the development in accordance with Local Plan Policy GEN2 (adopted 2005)

9. Prior to the commencement of development a long term plan for Bury Lodge as a listed building [such a details of lease, long term use in relation to the development and whether it can be sensitively integrated into the scheme,](#) shall be submitted to and approved by the Local

Planning Authority which sets out its longer-term protection and preservation.

Reason:

In the interest of protecting and preserving the long-term protection of the adjacent Listed Building in accordance with Local Plan Policy ENV2 and the NPPF.

10. The buildings shall be designed to meet at least BREEAM rating 'very good' and to aim for 'Excellent' wherever possible. The details shall be submitted to and approved in writing by the Local Planning Authority on each building reserved matters stage. Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of the design of the development and securing a sustainable development in accordance with Local Plan Policy GEN2 (adopted 2005) and the Interim Climate Change Policy (2021)

11. Details of designing out crime and any required security measures to protect the operation of the airport and users of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground level works.~~of any development.~~ Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005)

12. Prior to the commencement of above ground level works development details of a site wide waste management strategy and waste collection points for each phase shall be submitted to and approved in writing by the Local Planning Authority.

A SWMP would be expected to:

- present a site wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation,
- establish strategic forecasts in relation to expected waste arisings for construction,
- include waste reduction/recycling/diversion targets, and monitor against these,
- advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area.

The operational site waste management strategy shall be in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan including mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures.

Thereafter the development shall be implemented in accordance with the approved details.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 13.** Parking details for each plot shall be in accordance with the Essex parking standards.

Reason:

In the interest of the development and highway and pedestrian safety, in accordance with Local Plan Policy GEN2, GEN8 and the Essex Parking Standards (2009), also the NPPF.

- 14.** Prior to the commencement of development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details unless otherwise agreed in writing.

Reason:

In the interest of the design and implementation of the development and relevant infrastructure in accordance with Local Plan Policy (adopted 2005) as a whole and the NPPF.

- 15.** Prior to the commencement of the development tree protection measures for the trees to remain shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved protection measures, subsequently; the approved measures shall not be changed without the prior written consent of the Local Planning Authority.

Reason:

The use of such pre commencement condition is required to ensure the protection of the existing trees that bound the site during the construction of the development in accordance with Local Plan Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005)

- 16.** The development hereby permitted shall provide a minimum floorspace of 9,715 sqm of non Use Class B8 uses relating to Use Class B2, E (g) (i), (ii) and (iii).

Reason:

In order to provide a diversification and to mitigate socio-economic impacts in accordance with the NPPF.

## **Highways**

### **National Highways**

17. Before the beneficial occupation of phase one on the permission. The developer shall submit and have approved in writing by the local planning authority in consultation with National Highways the following design details relating to the required improvements to the M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Brirchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 22 November 22

Scheme details shall include drawings and Documents showing:

- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations
- ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- iii. Full Signing and Lighting details
- iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards)
- v. Evidence that the scheme is fully deliverable within land in the control of either the applicant or the Highway Authority.
- vi. An independent Stage 2 Road Safety Audit (taking account of and stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes.
- vii. A construction Management plan detailing how construction traffic will be managed

Reason:

To ensure the efficiency and safe functioning of the highways network This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

18. The above scheme approved by the Local Planning Authority shall be implemented and completed to the satisfaction of the Local Planning Authority in consultation with the Highways Authorities and NO beneficial of further phases occupation (ie beyond phase 1) shall take place unless and until the junction improvements shown in outline on M11/A120 Priory Wood Roundabout Junction Preliminary Layout shown in outline on Vectos drawing 15864/A/04 G dated 24 November 22 and M11 J8 Junction 8 Brirchanger Junction Preliminary Layout shown in outline on Vectos drawing 215864/A/04 E dated 24 November 22 and referred to above have been delivered and are fully operational.

Reason:



To ensure the efficiency and safe functioning of the highways network  
This is in accordance with Policy GEN1 and GEN2 of the Uttlesford  
Local Plan and the NPPF.

**STAL**

- 19.** The emergency services routes, as indicated on plan 31519-FE-057 A (contained Aviation Safeguarding Matters Montegue Evans January 2022) and dated Nov 2021, shall be constructed in accordance with final details to be first submitted to, and approved in writing by the Local Authority in conjunction with the Airport Highway Authority, and be retained thereafter. For the avoidance of doubt, the routes shall be capable of accommodating the weight and width of special appliances that require access to the airport infrastructure.

Reason:

To ensure safe and efficient emergency service access to an operational airfield and its supporting infrastructure. This is in accordance with Paragraphs 97 (a) and 110(b) of the NPPF (2021).

- 20.** Works to Round Coppice Road / First Avenue Roundabout and upgrade of First Avenue Both should be completed before any occupation of the building and with final details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority.

Reason:

To ensure the efficiency and safe functioning of the highways network  
This is in accordance with Policy GEN1 and GEN2 of the Uttlesford  
Local Plan and Paragraph 110(b) of the NPPF (2021).

- 21.** The details of the widening of Round Coppice Road and Cycle Access to the Development Site shall be with details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority. The works shall be completed before first occupation of any part of the proposed development.

Reason:

To ensure the efficiency and safe functioning of the highways network  
This is in accordance with Policy GEN1 and GEN2 of the Uttlesford  
Local Plan and Paragraph 110(b) of the NPPF (2021).

- 22.** Prior to the first occupation of any part of the development hereby approved, a scheme for the prohibition of cycling along Round Coppice Road between the roundabouts accessing the Long Stay Car Park and First Avenue shall be brought into effect. This should ensure that the final design is compliant with the DfT's Local Transport Note 1/20 (July 2020) as a minimum with details to be submitted to and approved in writing by the Local Planning Authority in consultation with STAL as the Highway Authority. The works shall be implemented in accordance with the approved details.

Reason:

To ensure the efficiency and safe functioning of the highways network  
This is in accordance with Policy GEN1 and GEN2 of the Uttlesford  
Local Plan and Paragraphs 97 (a) and 110(b) of the NPPF (2021).

### **ECC Highways**

23. ~~No development shall take place~~ Prior to commencement of development, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period, including the substation and the pedestrian cycle route on PROW 45/60. The Plan shall provide for;

- I. The parking of vehicles of site operatives and visitors,
- II. Loading and unloading of plant and materials,
- III. Storage of plant and materials used in constructing the development,
- IV. Wheel and underbody washing facilities.
- V. Routing strategy for construction vehicles, including protection of local villages and information on the enforcement strategy using CCTV
- VI. Protection of any public rights of way within or adjacent to the site
- VII. Time of operation including hours and time of year being sensitive to the operation of the airport and the impact on local residents
- VIII. how the construction works will not impede on emergency service operations

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011 and in accordance with Local Plan Policy GEN1 and GEN2 (adopted 2005)

24. Prior to ~~commencement~~ occupation details of a routing agreement to be submitted to the planning authority for approval. The routing agreement to include, but not be limited to,

1. prohibition of HGVs from going north on to Bury Lodge Lane either via access or other adjacent roundabout on roundabout on Round Coppice Road
2. Signing of routes to and from the strategic network
3. Camera enforcement of route
4. Details of information to be provided to employees and contractors in advising route to take
5. Details of how Sat Nav providers will be informed of preferred route
6. Details of reporting mechanism and penalties to be applied if routing agreement is not adhered to.

The approved agreement to be implemented in full from commencement.

Reason:

To protect the local highway network in villages from unnecessary impact by HGVs from the scheme. This is in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

- 25.** Prior to construction of the substation an access shall be provided as shown in principle in drawing number 215864/PD07, including clear to ground visibility splays with dimensions of 2.4 metres by 160 metres in both directions, as measured from and along the nearside edge of the carriageway. Turning and parking shall be provided at the substation to accommodate service vehicles and ensure they can leave the site in a forward gear. Vegetation shall be removed from the visibility splay and shall be subject to a maintenance regime to ensure they are retained free of any obstruction at all times thereafter.

Reason:

To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. This is in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

- 26.** Prior the implementation of any Traffic Regulation Order banning cycling on airport network or first occupation of the development, whichever is sooner, a cycle link from the site to the junction with PROW 45/62 as shown in principle on drawing number shall be provided.

It shall consist of the following:

1. A signalised Toucan crossing on Bury Lodge Lane as shown in principle in drawing number 215864/PD05 rev B, including a maintenance bay, anti-friction surfacing, crossing warning signs and the cutting back of vegetation to provide visibility splays conforming to the speed of the road. The visibility splays shall be maintained thereafter.
2. Cycleways and footways within the development site designed to the standards in LTN1/20 linking to key employment areas and facilities.
3. A shared use cycleway/footway between the toucan crossing and PROW 45/60 to be designed in accordance with LTN1/20, minimum effective width 3.5m and appropriately surfaced and lit.
4. Bridleway 45/60 to be surfaced for its full effective width with an appropriate semipermeable material suitable for equestrians and cyclists and appropriate lighting

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

27. Prior to first occupation a signing strategy for walking and cycling to from and around the site shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented prior to occupation and at the appropriate phases of the development.

Reason;

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

28. Prior to first occupation two bus stops shall be provided on either side of Round Coppice Road with associated connecting footways. The bus stops shall comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; poles and flag type signs, timetable casings and real time information. Prior to commencement of development a plan showing the above shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highways Authority. Thereafter the details shall be implemented as approved.

Reason:

To ensure the efficiency, sustainability and safe functioning of the highways network. This is in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan and the NPPF.

29. The development hereby permitted shall not restrict access to the COMAH facility in any way at anytime for emergency response arrangements.

Reason:

In the interest of Health and Safety of the hazardous facility in accordance with Local Plan Policy GEN2 and the NPPF.

### **Archaeology**

30. Prior to commencement of development ~~No development~~ or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant

archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-191 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 200 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II construction, however, a number of the archaeological sites already excavated have shown a high level of preservation beneath elements of the WWII airfield.

This office would largely agree with the Receptors and Receptor sensitivity identified in 12.48, however, considering the extent of Roman burials and other occupation in the adjacent long term car parks we would recommend that the Roman remains are also identified as of high potential.

Within the mitigation section (12.60-12.66) this office would support the proposal for evaluation trenches on all areas of development, to include those within the present built up area, and the 2 high voltage under ground cables and the new buildings on the present fields to the north, followed by open area excavation, with a programme of building recording on those structures which warrant recording prior to demolition. We would not recommend a programme of watching brief on any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF

31. [Prior to commencement of development](#) ~~No development~~ or preliminary groundworks of any kind shall take place until the completion of the

programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

The submitted Environmental Statement suffers from assessing only a limited area and many of the major discoveries at Stansted have not been identified. The submitted ES has omitted all of the extensive excavations to the east of the present runway which is disappointing as this would have provided a better understanding of the extent of the likely archaeological deposits. Under 12.47 of the ES it states that the archaeological remains would have been impacted by the World War II construction, however, a number of the archaeological sites already excavated have shown a high level of preservation beneath elements of the WWII airfield.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 32.** A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the Local Planning Authority following the completion of the archaeological evaluation.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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any part of the development as this should be avoided through appropriate evaluation, or strip map and assess programmes.

The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

33.

Prior to commencement of development ~~No development~~ or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 34.** The applicant shall submit to the Local Planning Authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 35.** No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a written scheme of investigation (WSI) to be submitted to and approved in writing by the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 36.** No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI has been submitted to the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows

the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

37. Thereafter a report detailing the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI shall be submit to the Local Planning Authority.

Reason:

An assessment of the archaeological impact is provided as Chapter 12 within the Environmental Statement has been submitted with the proposed application. The Essex Historic Environment Record shows the proposed development area has the potential to contain significant archaeological remains. A number of phases of archaeological investigations have occurred at Stansted Airport as it developed as London's third international airport. In 1986-1991 the Essex County Council field Unit undertook a major fieldwalking programme identifying a wide range of archaeological sites dating from the late Bronze Age through to the post medieval period. This was followed by expansion in the late 1990's and early 2000 undertaken by Framework Archaeology, and then again major evaluation work was undertaken by Framework Archaeology in advance of Stansted G2.

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The Written Scheme of Investigation for archaeological trial trenching on one plot of land has been agreed, however, the remaining areas of the site will all need a similar programme to be agreed.

All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology or signed off by ECC Archaeology.

In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

### **SUDs**

38. ~~No works~~ Prior to commencement of development, except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 105l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can EITHER half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event, OR are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.
- Demonstration of the range of SuDS features considered and the basis for adopting the proposed features.
- Substantiation of the EA requirement to maintain existing flows in the receiving watercourse.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

- 39.** Prior to occupation of any part/phase of the development hereby permitted a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

- 40.** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason:

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

**Thames Water**

41. There shall be no occupation until confirmation has been provided that either:-
1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-
  2. A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation of those additional buildings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason:

Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. This is in accordance with Policy GEN6 of the Uttlesford Local Plan and the NPPF.

### **Ecology**

42. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Chapter 11: Ecology and Biodiversity of the Environmental Statement: Volume 1, subsequent Volume 2 Annexes (RSK) and Bat Survey Report (RSK Biocensus, June 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason:

To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006. Also, in accordance with Local Plan Policies GEN2, and GEN7 (adopted 2005) and the NPPF.

43. No development shall not in in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant authorizing the specified activity/development to go ahead; or
  - b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act



1998. Also, in accordance with Local Plan Policies GEN2 and GEN7 (adopted 2005) and the NPPF.

**44.** Any works which will impact the resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998. Also, in accordance with Local Plan Policies GEN2 and GEN7 (adopted 2005) and the NPPF.

#### **Aerodrome Safeguarding**

**45.** No development shall commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Aerodrome Safeguarding Authority, covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- Details of the area(s) subject to construction activity and the storage of materials and equipment;
- Details of cranes and other tall construction equipment (including the details of obstacle lighting);
- Control of activities likely to produce dust and smoke etc.
- Details of temporary lighting;
- Height of storage areas for materials or equipment;
- Control and disposal of putrescible waste to prevent attraction of birds;
- Site restoration;

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason:

To ensure that construction work and construction equipment on the site and adjoining land is in compliance with CAP 1096 'Guidance to crane users on aviation lighting & Notification'; does not breach the aerodrome

safeguarded surfaces surrounding Stansted Airport and thereby endanger aircraft movements and the safe operation of the aerodrome; and, to ensure the development does not endanger the safe movement of aircraft or the operation of Stansted Airport through interference with communication, navigational aids and surveillance equipment. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 46.** No development shall take place until the construction phase Bird Hazard Management Plan (BHMP) for the construction period is amended to specify the monitoring frequency; the plan should include details of the earthworks phase with an option to remove, compact or cover (e.g. with tar spray) areas of bare earth so as not rely solely on plastic safety fencing; and the management and removal of any Rookery or pigeon, corvid or Starling roost in this area, including in existing woodland. The amended construction BHMP should be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. Thereafter the amended BHMP shall be implemented in accordance with the approved details.

Reason:

Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 47.** No development shall take place until an operational phase robust BHMP is submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, for the life of the site in perpetuity. For the avoidance of doubt the BHMP should include, but not be limited to, details of:

- a) regular monitoring to prevent the use of the roofs by breeding, loafing or roosting large gulls, potentially with a commitment to net if necessary;
- b) measures to ensure buildings are designed with no ledges or other access points of exploitable areas for birds such as Feral Pigeons.
- c) food outlets and recreation areas, which should avoid having outdoor seating, or where it is present, it should be designed in such a way to reduce access to hazardous birds, for example by being under a canopy.
- d) a site wide waste management policy which should be in place to ensure adequate lidded bins are provided and emptied routinely.
- e) staff and visitors training to understand why it is imperative to not drop litter in this area i.e., that food detritus is a bird attractant; litter is a bird attractant; litter is a Foreign Object Debris (FOD) risk to aircraft engines.

Reason:

Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

48. No development phase including site clearance to take place until the detail of landscaping and management plan are submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority. The landscaping plan should be developed to ensure the use of berry and fruit bearing plants (including orchard trees) should be heavily restricted to avoid the formation of an exploitable food resource for hazardous flocking birds. The use of large, dense canopied tree species such as Oak and Scots Pine should be limited, as should the use of large evergreen species to avoid attractive habitat for a range of bird species. The management plan for the landscaping should specify appropriate measures to ensure restriction of heights in proximity to an active aerodrome.

Reason:

Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

49. Prior to the commencement of any phase of the development, including any highway works, a detailed lighting scheme [showing all lighting to be installed on site](#) shall be submitted to and approved in writing by the LPA, in conjunction with the Aerodrome Safeguarding Authority, showing full specification of lighting, including polar throw diagrams, [the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated](#). All exterior lighting to be capped at the horizontal with no upward light spill. No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from any roof lights upwards – ideally, automatic blinds to be fitted that close at dusk. Prior to the energising of the site and use of any exterior lights, a lighting check will need to be carried out with the aerodrome safeguarding team at STN.

[At all times the lighting scheme shall conform to The Institution of Lighting Engineers Guidance Note 01/21 for The Reduction of Obtrusive Light.](#)

Reason:

Flight safety - to prevent distraction or confusion to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives

storage areas) Direction 2002 [also to protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan \(adopted 2005\).](#)

- 50.** No phase of the development shall take place until an aviation perspective glint and glare assessment for the building materials is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight safety - to prevent ocular hazard and distraction to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 51.** No solar PV panel development to take place until an aviation perspective glint and glare assessment is submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight safety - to prevent ocular hazard and distraction to pilots using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 52.** Buildings and structures on this site must not exceed the following heights:

- ZONE 1 MAX BUILDING HEIGHT 124.100 AOD
- ZONE 2 MAX BUILDING HEIGHT 123.500 AOD
- ZONE 3 MAX BUILDING HEIGHT 120.250 AOD
- ZONE 4 MAX BUILDING HEIGHT 113.125 AOD
- ZONE 5 MAX BUILDING HEIGHT 116.050 AOD

These heights will be subject to further assessment including an Obstacle Limitation Surfaces assessment; Instrument Flight Procedures (IFP) assessment; communications, navigational aids and surveillance (CNS) impact assessment.

Reason:

Development exceeding this height would penetrate the safeguarded surfaces surrounding Stansted Airport and development up to and exceeding this height could endanger the safe operation of the airport. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

53. No development to take place until the developer has engaged with NATS to undertake any necessary radar mitigation works. Any mitigation works must be carried out in accordance with an agreed timetable.

Reason:

Flight Safety – to protect the integrity of radar equipment. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

54. No phase of development shall commence until building specific aviation perspective Wind Shear studies, have been submitted to and approved by the LPA, in conjunction with the Aerodrome Safeguarding Authority.

Reason:

Flight Safety – to ensure that development does not create an increase to the risk of a wind shear hazard at STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

55. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order 2015 (or any Order revoking or re-enacting it, with or without modification/s), no development within Part 4 – Temporary Buildings and Uses, Class A: The provision on land or buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations, being or to be carried out on, in, under or over land or on land adjoining that land shall be carried out without a construction management plan and / or a Crane and Tall Equipment Plan first being submitted to and approved in writing by the LPA, in consultation with the Airport Safeguarding Authority.

Reason:

To ensure that site construction and site maintenance operations and equipment on site or on any adjoining land do not breach the protected surfaces surrounding Stansted Airport, or create any interference with communication, navigational aids and surveillance equipment, both of which could endanger the safe movement of aircraft at, and the safe operation of, the aerodrome. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

**Crime Prevention**

56. Prior to the commencement of any part of the development hereby permitted discussions shall be entered into with Essex Police relating to detailed layout and implications on Operational Policing, road infrastructure, CCTV/ANPR and security and management plan, details of design to be to Secure By Design Principles and ensure airwaves are unaffected. Details of which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Essex Police.

Thereafter the development shall be implemented in accordance with the approved details.

Reason:

In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005)

### **Environmental Health**

#### **57. Land Contamination**

The following works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and The Environment Agency Land Contamination Risk Management (LCRM) and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

##### **A. Site Characterisation**

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - Human health,
  - Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - Adjoining land,
  - Groundwaters and surface waters,
  - Ecological systems
  - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

##### **B. Site Remediation Scheme**

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been

submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the measures set out in the approved Remediation scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

#### E. Long Term Monitoring and Maintenance

If found to be necessary from the Phase 2 investigation and remediation scheme, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time to be agreed with the Local Planning Authority, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**58. Unexploded Ordnance (UXO)**

A detailed assessment of the potential for unexploded ordnance (UXO) at the site and a UXO risk assessment shall be undertaken by a competent person further to the recommendations of the submitted Environmental Statement, Volume 1 chapter 16 Ground Conditions, section 16.61. Any recommendations for further investigation and/or mitigation in the UXO assessment shall be fully implemented. A copy of the assessment shall be submitted to the Local Planning Authority.

Reason:

To ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

**CEMP**

**59.** Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

The CEMP shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice.

All works shall be carried out in accordance with the approved CEMP thereafter.



Reason:

In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **External Lighting**

- ~~60. Prior to the installation of any external lighting, details of all proposed external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority. Only the details thereby approved shall be implemented.~~

~~At all times the lighting scheme shall conform to The Institution of Lighting Engineers Guidance Note 01/21 for The Reduction of Obtrusive Light.~~

~~Reason:~~

~~To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).~~

### **Illuminated signs**

61. Details of any illuminated signs to be installed on the site, including the design and illuminance levels shall be submitted to and approved in writing by the Local Planning Authority prior to the signs being brought into use. The signs shall be installed in accordance with the approved details.

The illuminated signs shall comply with the Institution of Lighting Engineers Professional Lighting Guide 05, The brightness of Illuminated Advertisements.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Air Quality**

62. Prior to the commencement of development on each plot or phase, details of the proposed use and operation for each commercial unit/plot together with an updated associated Highway Assessment and Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason:

In the interest of protecting the residential amenity, highways and pedestrian safety and air quality from unacceptable levels of increased vehicle movements in accordance with Policy GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

63. No development shall take place until a scheme, informed by an appropriate air quality assessment, for protecting local air quality and the Bishops Stortford Air Quality Management Area from adverse impacts associated with the commercial and industrial uses hereby approved has been submitted to and approved in writing by the local planning authority. No occupation of the units hereby consented shall take place until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason:

To protect human health and the amenity of local residents, and prevent any adverse impacts on the Bishops Stortford Air Quality Management Area, in accordance with Local Plan Policies ENV14 of the Uttlesford Local Plan and in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018 and in line with the East Herts Sustainability SPD and IAQM Guidance 2017

64. Electric vehicle charging points (EVCP) shall be provided for 20% of the car parking spaces and passive provision shall be made available for ~~the remaining 80~~ at least 25% of the spaces in the development, so that the spaces are capable of being readily converted to electric vehicle charging points. Further provision is required subject to the availability of power supply and the consideration of new technologies.

The location of the EVCP spaces and charging points, and a specification for passive provision shall be submitted to and approved in writing by the local planning authority before any of the commercial units are first brought into use. The EVCP shall thereafter be constructed and marked out and the charging points installed prior to any of the residential units being brought into use and thereafter retained permanently to serve the vehicles of occupiers.

Reason:

To protect local air quality and amenity of existing neighbouring and future occupiers of the development. This will facilitate sustainable modes of transport in a development that will impact on an Air Quality Management Area and in accordance with the National Planning Policy Framework (para35) that 'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to [...] incorporate facilities for charging plug-in and other ultra-low emission vehicles'. This is in accordance with Policies GEN1 and ENV13 of the Uttlesford Local Plan (adopted 2005).

65. ~~Development shall not commence~~ Prior to the commencement of development ~~until~~ details of an air quality barrier scheme to provide mitigating effects to pollutants on the ancient woodland sites (Stocking Wood and Round Coppice), as indicated on drawings Illustrative

Landscape Masterplan drawing 32636-RSK-XX-XX-DR-LA-1000 Revision 05 and VD21521-DR-0101 Revision D, as well as restorative management, is submitted for approval in writing by the local planning authority. The approved scheme shall be implemented in full and maintained thereafter.

Reason:

To protect the ancient woodland sites from adverse air pollution effects from the development. in accordance with Local Plan Policy GEN2, GEN7 and the NPPF

### **Primary Electricity Sub Station**

66. Prior to development commencing for the Electricity Sub Station hereby approved a noise impact assessment must be conducted by a competent person to assess the potential noise impact of the substation on noise sensitive receptors (e.g. hotel, residential, nursery). Noise from the substation shall be in assessed in accordance with BS4142:2014+A1 2019 and any other relevant published procedure or assessment method (subject to local authority approval). Particular attention shall be given to directional and low frequency impact at times of low background levels.

If required, a mitigation scheme to control noise from the substation shall be submitted for written approval. The works shall be carried out in accordance with the approved report shall be retained as such thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

### **Nursery and other noise sensitive premises**

67. ~~The development hereby approved shall not commence~~ Prior to the commencement of development until a report identifying those noise sensitive premises within the development that require mitigation of external noise levels and detailing the mitigation required to achieve satisfactory noise levels within those premises (and to their external amenity areas, where relevant) ~~has~~ shall first ~~been~~ submitted to and agreed in writing by the Local Planning Authority. ~~in writing to be agreed.~~ The report shall also detail the arrangements for ventilating the premises so identified. The development shall thereafter be carried out in accordance with the report so agreed and shall be retained as such thereafter.

Reason:

To ensure that potential adverse noise impacts to noise sensitive premises within the development are mitigated and to ensure a high standard of amenity for future occupiers in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

## **Industrial/commercial Noise Impacts**

### **Plant noise**

- 68.** For each of the permitted commercial and industrial units hereby approved, prior to the installation of any plant, machinery or equipment the details of such shall be submitted to and approved in writing by the Local Planning Authority.

A noise impact assessment must also accompany the submission and include noise emissions from the equipment and mitigation measures to be incorporated. The sound levels shall be assessed in accordance with BS4142:2014+A1 2019 (Or latest equivalent version). The sound emitted must be measured (or calculated if measurement is not possible) at 1.0m from the facade of all residential premises to demonstrate that the sound emitted by the cumulative operation of all external building services plant and equipment hereby permitted does not exceed 5db below the background noise level at any time when the plant is operating. The noise survey must include reference to measured background noise level at monitoring locations and times agreed by the Local Planning Authority. Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis.

Any scheme of mitigation shall be implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Should the plant and equipment fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures have been implemented. The plant and equipment shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 69.** Within 3 months from the hereby approved permission, to establish background noise levels in vicinity of the development a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 and/or the most suitable method to fully represent any noise source and impact at the boundary of the nearest noise sensitive properties. This shall be undertaken by a suitably competent person. The noise sensitive property locations shall be submitted for written approval by the Local Planning Authority. The noise survey results shall be submitted for written approval of the representative background noise levels for each

of the noise sensitive receptors at the reserved matters application stage.

Background noise levels shall be established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

70. Prior to operation a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Where the proposed or actual plant and equipment rated noise levels are predicted to be in excess of 5 dB(A) above background noise levels a noise mitigation scheme shall be implemented.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **Hours of Operation**

71. Prior to the first occupation any of the individual non-residential units hereby permitted, details of the hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The non-residential units shall thereafter be occupied solely in accordance with the approved details.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

#### **Road traffic noise impacts**

72. No development shall take place until a scheme for protecting the existing noise sensitive premises from noise from road traffic changes resulting from the development, including increases in road traffic, changes to road layouts, roundabouts and new road crossings has been submitted to and approved in writing by the local planning authority.

The approved development shall not be brought into use until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Industrial/commercial operational noise impacts (excluding fixed plant noise)**

73. No development shall take place before a noise impact assessment and noise mitigation scheme for noise from all non-residential uses hereby approved (including industrial, commercial, retail, leisure and manufacturing processes, mobile plant and equipment, loading and unloading of goods and materials and any other noise source associated with the use hereby permitted) has been submitted to, and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented before the use/operation commences and be thereafter operated in accordance with the approved details.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Service yard management**

74. ~~No development shall commence~~ Prior to the commencement of development until a Service Yard Management Plan ~~has~~ shall been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the service yards. The reafter the approved plan shall be implemented at all times.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Odour/fumes industrial/commercial**

75. Prior to first occupation a scheme detailing all plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with that uses/plot hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the use commencing and retained thereafter.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Odour/noise food businesses**

- 76.** Prior to first occupation of units relating to food businesses details of any proposed odour extraction systems shall be submitted to the local planning authority for written approval.

The details provided shall include an odour risk assessment and information on ventilation, odour control and noise control in accordance with the Guidance on the Control of Odour and Noise from commercial Kitchen Exhaust Systems.

Reason:

To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

**Late List –Planning Committee 25/01/23**

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated and placed on the website by 5.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

Item Number	Application reference number	Comment
3	UTT/22/0434/OP Land North of Stansted Airport	Attached is Appendix 1 & 2 which are original Consultee comments which would normally be appended to the Committee report.
		Appendix 3 – track changed amended conditions

Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarized

Late items from **STATUTORY CONSULTEES** are reproduced in full.